



# *The Journal* OF THE *House of Representatives*

Number 33

Wednesday, March 7, 2012

The House was called to order by the Speaker at 1:00 p.m.

(A list of excused members appears at the end of the *Journal*.)

## Prayer

The following prayer was offered by the Reverend Charles S. Denison of First Presbyterian Church of Stuart, upon invitation of Rep. Harrell:

Great God of justice and truth, today as we debate, and discern, and decide, help us to think of all that is good, and just, and right about America. We ask that Your hand will continue to guide us to the true and the just and the free. Thank You for our freedom. Thank You for leaders whose motives are pure who will serve with justice and liberty.

We pray to be a responsible citizens in a republic based upon our laws and our character and Your grace. So give us courage, O God, to live out the real daring liberty You give us. The freedom of our souls, the freedom of our conscience, the freedom of our actions, their consequences, and our destinies. We know You care, and so we pray. Amen.

The following members were recorded present:

Session Vote Sequence: 1104

Speaker Cannon in the Chair.

Abruzzo	Diaz	Legg	Rogers
Adkins	Drake	Logan	Rooney
Ahern	Eisnaugle	Lopez-Cantera	Rouson
Albritton	Ford	Mayfield	Sands
Artiles	Fresen	McBurney	Saunders
Aubuchon	Frishe	McKeel	Schenck
Baxley	Fullwood	Metz	Schwartz
Bembry	Gaetz	Moraitis	Slosberg
Berman	Garcia	Nehr	Smith
Bernard	Gibbons	Nelson	Snyder
Bileca	Glorioso	Nuñez	Soto
Boyd	Gonzalez	O'Toole	Stafford
Brandes	Goodson	Oliva	Stargel
Brodeur	Grimsley	Pafford	Steube
Broxson	Hager	Passidomo	Taylor
Bullard	Harrell	Patronis	Thompson, G.
Burgin	Harrison	Perman	Thurston
Caldwell	Holder	Perry	Tobia
Campbell	Hooper	Pilon	Trujillo
Cannon	Horner	Plakon	Van Zant
Chestnut	Hudson	Porter	Waldman
Clarke-Reed	Hukill	Porth	Watson
Clemens	Ingram	Precourt	Weatherford
Coley	Jenne	Proctor	Weinstein
Corcoran	Jones	Ray	Williams, A.
Costello	Julien	Reed	Williams, T.
Crisafulli	Kiar	Rehwinkel Vasilinda	Wood
Cruz	Kreegel	Renuart	Workman
Davis	Kriseman	Roberson, K.	Young

A quorum was present.

## Pledge

The members, led by the following, pledged allegiance to the Flag: Anna Benoit of Crawfordville at the invitation of Rep. Coley; Brendan Brown of Tallahassee at the invitation of Rep. Drake; Sabrina Diggs of Crawfordville at the invitation of Rep. Coley; Caden Emerson of Oviedo at the invitation of the Speaker; and Jenna Falco of Pensacola at the invitation of Rep. Ingram.

## House Physician

The Speaker introduced Dr. Edwin "Cary" Pigman of Avon Park, who served in the Clinic today upon invitation of Rep. Grimsley.

## Correction of the *Journal*

The *Journal* of March 6, 2012 was corrected and approved as corrected.

## Messages from the Senate

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 691, with 1 amendment, and requests the concurrence of the House.

*Debbie Brown, Secretary*

**CS/HB 691**—A bill to be entitled An act relating to beach management; amending s. 161.041, F.S.; specifying that demonstration to the Department of Environmental Protection of the adequacy of a project's design and construction is supported by certain evidence; authorizing the department to issue permits for an incidental take authorization under certain circumstances; requiring the department to adopt certain rules involving the excavation and placement of sediment; requiring the department to justify items listed in a request for additional information; requiring the department to adopt guidelines by rule; providing legislative intent with regard to permitting for periodic maintenance of certain beach nourishment and inlet management projects; requiring the department to amend specified rules to streamline such permitting; providing a permit life for certain joint coastal permits; amending s. 161.101, F.S.; requiring the department to maintain certain beach management project information on its website; requiring the department to notify the Governor's Office and the Legislature concerning any significant changes in project funding levels; amending s. 403.813, F.S.; providing a permit exemption for certain specified exploratory activities relating to beach

restoration and nourishment projects and inlet management activities; providing an effective date.

(Amendment Bar Code: 658964)

**Senate Amendment 1 (with title amendment)**—Between lines 31 and 32 insert:

Section 1. Section 161.011, Florida Statutes, is amended to read:

161.011 Short title.—Parts I and II of this chapter may be known and cited as the "Dennis L. Jones Beach and Shore Preservation Act."

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 3

and insert:

161.011, F.S.; renaming Parts I and II as the Dennis L. Jones Beach and Shore Preservation Act; amending s. 161.041, F.S.; specifying that demonstration to the

On motion by Rep. Frishe, the House concurred in **Senate Amendment 1**.

The question recurred on the passage of **CS/HB 691**. The vote was:

Session Vote Sequence: 1105

Speaker Cannon in the Chair.

Yeas—118

Abruzzo	Dorworth	Legg	Rooney
Adkins	Drake	Logan	Rouson
Ahern	Eisnagle	Lopez-Cantera	Sands
Albritton	Ford	Mayfield	Saunders
Artiles	Fresen	McBurney	Schenck
Aubuchon	Frishe	McKeel	Schwartz
Baxley	Fullwood	Metz	Slosberg
Bembry	Gaetz	Moraitis	Smith
Berman	Garcia	Nehr	Snyder
Bernard	Gibbons	Nelson	Soto
Bileca	Glorioso	Nuñez	Stafford
Boyd	Gonzalez	O'Toole	Stargel
Brandes	Goodson	Oliva	Steube
Brodeur	Grant	Pafford	Taylor
Broxson	Grimsley	Passidomo	Thompson, G.
Bullard	Hager	Patronis	Thurston
Burgin	Harrell	Perman	Tobia
Caldwell	Harrison	Perry	Trujillo
Campbell	Holder	Pilon	Van Zant
Cannon	Hooper	Plakon	Waldman
Chestnut	Homer	Porter	Watson
Clarke-Reed	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	

Nays—None

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

## Bills and Joint Resolutions on Third Reading

**CS/CS/CS/HB 859**—A bill to be entitled An act relating to the Florida Tax Credit Scholarship Program; amending s. 1002.395, F.S.; revising student eligibility requirements for participation in the program; increasing the tax credit cap amount applicable to the program; revising provisions relating to the reporting of test scores by private schools participating in the program; providing that a private school may choose to offer and administer statewide

assessments at the school; revising Department of Education duties relating to site visits; requiring the department to provide at no cost statewide assessments and related materials to a school that makes such a request; providing conditions under which statewide assessments may be administered at a private school; requiring a private school to follow statutory requirements, State Board of Education rules, and district testing policies; requiring a school district to coordinate with the department to provide statewide assessments and related materials to a private school upon the department's request; providing school district responsibilities; revising the conditions upon which the Commissioner of Education may base the denial, suspension, or revocation of a private school's participation in the program or the suspension of scholarship fund payment; amending s. 1002.20, F.S.; conforming provisions; providing an effective date.

—was read the third time by title.

Representative Bullard offered the following:

(Amendment Bar Code: 447835)

**Amendment 1 (with directory and title amendments)**—Between lines 39 and 40, insert:

(1) FINDINGS AND PURPOSE.—

(b) The purpose of this section is to:

1. Enable taxpayers to make private, voluntary contributions to nonprofit scholarship-funding organizations and to traditional public schools in order to promote the general welfare.

2. Provide taxpayers who wish to help parents with limited resources exercise their basic right to educate their children as they see fit with a means to do so.

3. Promote the general welfare by expanding educational opportunities for children of families that have limited financial resources.

4. Enable children in this state to achieve a greater level of excellence in their education.

5. Improve the quality of education in this state, both by expanding educational opportunities for children and by creating incentives for schools to achieve excellence.

(2) DEFINITIONS.—As used in this section, the term:

(e) "Eligible contribution" means a monetary contribution from a taxpayer, subject to the restrictions provided in this section, to an eligible nonprofit scholarship-funding organization or to a traditional public school. The taxpayer making the contribution may not designate a specific child as the beneficiary of the contribution.

## DIRECTORY AMENDMENT

Remove line 32 and insert:

Section 1. Paragraph (b) of subsection (1), paragraph (e) of subsection (2), subsection (3), paragraph (a) of subsection

## TITLE AMENDMENT

Remove line 3 and insert:

Program; amending s. 1002.395, F.S.; providing that contributions under the program may be made to traditional public schools; revising student

Rep. Bullard moved the adoption of the amendment.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on the adoption of **Amendment 1**, which failed to receive the required two-thirds vote for adoption. The vote was:

Session Vote Sequence: 1106

Representative Legg in the Chair.

Yeas—40

Abruzzo	Cruz	Kriseman	Schwartz
Bembry	Drake	Pafford	Slosberg
Berman	Fullwood	Perman	Soto
Bernard	Gaetz	Porth	Stafford
Bullard	Garcia	Reed	Taylor
Chestnut	Gibbons	Rehwinkel Vasilinda	Thompson, G.
Clarke-Reed	Jenne	Rogers	Thurston
Clemens	Jones	Rouson	Watson
Coley	Julien	Sands	Williams, A.
Costello	Kiar	Saunders	

Jenne	Pafford	Schwartz	Thompson, G.
Jones	Perman	Slosberg	Thurston
Kiar	Porth	Stafford	Watson
Kriseman	Sands	Taylor	Williams, A.

Votes after roll call:

Nays—Rehwinkel Vasilinda

So the bill passed and was immediately certified to the Senate.

Nays—77

Adkins	Ford	Lopez-Cantera	Renuart
Ahern	Fresen	Mayfield	Roberson, K.
Albritton	Frishe	McBurney	Rooney
Artiles	Glorioso	McKeel	Schenck
Aubuchon	Gonzalez	Metz	Smith
Baxley	Goodson	Moraitis	Snyder
Bileca	Grant	Nehr	Stargel
Boyd	Grimsley	Nelson	Steube
Brandes	Hager	Nuñez	Tobia
Brodeur	Harrell	O'Toole	Trujillo
Broxson	Harrison	Oliva	Van Zant
Burgin	Holder	Passidomo	Weatherford
Caldwell	Hooper	Patronis	Weinstein
Cannon	Horner	Perry	Williams, T.
Corcoran	Hudson	Pilon	Wood
Crisafulli	Hukill	Plakon	Workman
Davis	Ingram	Porter	Young
Diaz	Kreegel	Precourt	
Dorworth	Legg	Proctor	
Eisnaugle	Logan	Ray	

Votes after roll call:

Yeas—Campbell

REPRESENTATIVE LOPEZ-CANTERA IN THE CHAIR

THE SPEAKER IN THE CHAIR

The question recurred on the passage of **CS/CS/CS/HB 859**. The vote was:

Session Vote Sequence: 1107

Speaker Cannon in the Chair.

Yeas—92

Abruzzo	Diaz	Kreegel	Reed
Adkins	Dorworth	Legg	Renuart
Ahern	Drake	Logan	Roberson, K.
Albritton	Eisnaugle	Lopez-Cantera	Rogers
Artiles	Ford	Mayfield	Rooney
Aubuchon	Fresen	McBurney	Rouson
Baxley	Frishe	McKeel	Saunders
Bembry	Gaetz	Metz	Schenck
Bernard	Glorioso	Moraitis	Smith
Bileca	Gonzalez	Nehr	Snyder
Boyd	Goodson	Nelson	Soto
Brandes	Grant	Nuñez	Stargel
Brodeur	Grimsley	O'Toole	Steube
Broxson	Hager	Oliva	Tobia
Burgin	Harrell	Passidomo	Trujillo
Caldwell	Harrison	Patronis	Van Zant
Cannon	Holder	Perry	Waldman
Clarke-Reed	Hooper	Pilon	Weatherford
Coley	Horner	Plakon	Weinstein
Corcoran	Hudson	Porter	Williams, T.
Costello	Hukill	Precourt	Wood
Crisafulli	Ingram	Proctor	Workman
Davis	Julien	Ray	Young

Nays—24

Berman	Chestnut	Cruz	Garcia
Bullard	Clemens	Fullwood	Gibbons

## Remarks

The Speaker recognized Representative Grimsley, who gave brief farewell remarks.

The Speaker recognized Representative Lopez-Cantera, who gave brief farewell remarks.

**SB 2058**—A bill to be entitled An act relating to the Office of Legislative Services; amending ss. 11.045, 11.0455, and 112.3148, F.S.; providing for duties related to the registration and reporting of legislative lobbyists to be conducted by the office rather than the Division of Legislative Information Services within the office; amending s. 11.242, F.S.; requiring that certain content relating to the published edition of the Florida Statutes be determined by the office rather than by the Division of Statutory Revision within the office; amending s. 119.15, F.S.; requiring that the office, rather than the Division of Statutory Revision, certify to the Legislature public records and public meetings exemptions that are scheduled for repeal; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1108

Speaker Cannon in the Chair.

Yeas—118

Abruzzo	Dorworth	Legg	Rooney
Adkins	Drake	Logan	Rouson
Ahern	Eisnaugle	Lopez-Cantera	Sands
Albritton	Ford	Mayfield	Saunders
Artiles	Fresen	McBurney	Schenck
Aubuchon	Frishe	McKeel	Schwartz
Baxley	Fullwood	Metz	Slosberg
Bembry	Gaetz	Moraitis	Smith
Berman	Garcia	Nehr	Snyder
Bernard	Gibbons	Nelson	Soto
Bileca	Glorioso	Nuñez	Stafford
Boyd	Gonzalez	O'Toole	Stargel
Brandes	Goodson	Oliva	Steube
Brodeur	Grant	Pafford	Taylor
Broxson	Grimsley	Passidomo	Thompson, G.
Bullard	Hager	Patronis	Thurston
Burgin	Harrell	Perman	Tobia
Caldwell	Harrison	Perry	Trujillo
Campbell	Holder	Pilon	Van Zant
Cannon	Hooper	Plakon	Waldman
Chestnut	Horner	Porter	Watson
Clarke-Reed	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	

Nays—None

So the bill passed and was immediately certified to the Senate.

**SB 368**—A bill to be entitled An act relating to financial emergencies; amending s. 218.39, F.S.; requiring the Auditor General to notify each member of the governing body of a local governmental entity, district school board, charter school, or charter technical career center of certain fund balance deficits; amending s. 218.503, F.S.; removing a condition under which local governmental entities, charter schools, charter technical career centers, and district school boards are subject to certain review and oversight by the Governor, the charter school sponsor, the charter technical career center sponsor, or the Commissioner of Education; requiring a local governmental entity or district school board to provide requested information within a specified period of time; authorizing a financial emergency board for a local governmental entity or district school board to consult with other governmental entities for the consolidation of administrative direction and support services; authorizing the Governor or Commissioner of Education to require a local governmental entity or district school board to include provisions implementing the consolidation, sourcing, or discontinuance of all administrative direction and support services in certain plans; providing that the members of the governing body of a local governmental entity or the members of a district school board who fail to resolve a state of financial emergency are subject to suspension or removal from office; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1109

Speaker Cannon in the Chair.

Yeas—81

Adkins	Drake	Legg	Ray
Ahern	Eisnaugle	Logan	Renuart
Albritton	Ford	Lopez-Cantera	Roberson, K.
Artiles	Fresen	Mayfield	Rooney
Aubuchon	Frishe	McBurney	Schenck
Baxley	Gaetz	McKeel	Smith
Bileca	Glorioso	Metz	Snyder
Boyd	Gonzalez	Moraitis	Stargel
Brandes	Goodson	Nehr	Steube
Brodeur	Grant	Nelson	Tobia
Broxson	Grimsley	Nuñez	Trujillo
Burgin	Hager	O'Toole	Van Zant
Caldwell	Harrell	Oliva	Weatherford
Cannon	Harrison	Passidomo	Weinstein
Coley	Holder	Patronis	Williams, T.
Corcoran	Hooper	Perry	Wood
Costello	Horner	Pilon	Workman
Crisafulli	Hudson	Plakon	Young
Davis	Hukill	Porter	
Diaz	Ingram	Precourt	
Dorworth	Kreegel	Proctor	

Nays—35

Abruzzo	Fullwood	Porth	Soto
Berman	Gibbons	Reed	Stafford
Bernard	Jenne	Rehwinkel Vasilinda	Taylor
Bullard	Jones	Rogers	Thompson, G.
Campbell	Julien	Rouson	Thurston
Chestnut	Kiar	Sands	Waldman
Clarke-Reed	Kriseman	Saunders	Watson
Clemens	Pafford	Schwartz	Williams, A.
Cruz	Perman	Slosberg	

Votes after roll call:

Nays—Bembry

So the bill passed and was immediately certified to the Senate.

**SB 638**—A bill to be entitled An act relating to the Florida Motor Vehicle Theft Prevention Authority; repealing ss. 860.151, 860.152, 860.153, 860.154, 860.155, 860.156, 860.157, and 860.158, F.S., relating to the Florida Motor Vehicle Theft Prevention Authority; repealing provisions relating to a short title, purpose, definitions, establishment, compensation of

members, personnel, powers and duties, and expenditures; amending s. 713.78, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

THE SPEAKER PRO TEMPORE IN THE CHAIR

The question recurred on the passage of **SB 638**. The vote was:

Session Vote Sequence: 1110

Representative Legg in the Chair.

Yeas—118

Abruzzo	Dorworth	Legg	Rooney
Adkins	Drake	Logan	Rouson
Ahern	Eisnaugle	Lopez-Cantera	Sands
Albritton	Ford	Mayfield	Saunders
Artiles	Fresen	McBurney	Schenck
Aubuchon	Frishe	McKeel	Schwartz
Baxley	Fullwood	Metz	Slosberg
Bembry	Gaetz	Moraitis	Smith
Berman	Garcia	Nehr	Snyder
Bernard	Gibbons	Nelson	Soto
Bileca	Glorioso	Nuñez	Stafford
Boyd	Gonzalez	O'Toole	Stargel
Brandes	Goodson	Oliva	Steube
Brodeur	Grant	Pafford	Taylor
Broxson	Grimsley	Passidomo	Thompson, G.
Bullard	Hager	Patronis	Thurston
Burgin	Harrell	Perman	Tobia
Caldwell	Harrison	Perry	Trujillo
Campbell	Holder	Pilon	Van Zant
Cannon	Hooper	Plakon	Waldman
Chestnut	Horner	Porter	Watson
Clarke-Reed	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	

Nays—None

So the bill passed and was immediately certified to the Senate.

**SB 436**—A bill to be entitled An act relating to video voyeurism; amending s. 810.145, F.S.; revising the definition of the term "place and time when a person has a reasonable expectation of privacy" to include the interior of a residential dwelling; increasing the classification of specified video voyeurism offenses; amending s. 921.0022, F.S.; ranking a violation of s. 810.145(8)(b), F.S., above its default value for purposes of the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1111

Representative Legg in the Chair.

Yeas—117

Abruzzo	Berman	Burgin	Corcoran
Adkins	Bernard	Caldwell	Costello
Ahern	Bileca	Campbell	Crisafulli
Albritton	Boyd	Cannon	Cruz
Artiles	Brandes	Chestnut	Davis
Aubuchon	Brodeur	Clarke-Reed	Diaz
Baxley	Broxson	Clemens	Dorworth
Bembry	Bullard	Coley	Drake

Eisnaugle	Jenne	Perman	Soto
Ford	Jones	Perry	Stafford
Fresen	Julien	Pilon	Stargel
Frishe	Kiar	Plakon	Steube
Fullwood	Kreegel	Porter	Taylor
Gaetz	Kriseman	Porth	Thompson, G.
Garcia	Legg	Precourt	Thurston
Gibbons	Logan	Proctor	Tobia
Glorioso	Lopez-Cantera	Ray	Trujillo
Gonzalez	Mayfield	Reed	Van Zant
Goodson	McBurney	Rehwinkel	Waldman
Grant	McKeel	Renuart	Watson
Grimsley	Metz	Roberson, K.	Weatherford
Hager	Moraitis	Rogers	Weinstein
Harrell	Nehr	Rooney	Williams, A.
Harrison	Nelson	Sands	Williams, T.
Holder	Nuñez	Saunders	Wood
Hooper	O'Toole	Schenck	Workman
Horner	Oliva	Schwartz	Young
Hudson	Pafford	Slosberg	
Hukill	Passidomo	Smith	
Ingram	Patronis	Snyder	

Nays—None

Votes after roll call:

Yeas—Rouson

So the bill passed and was immediately certified to the Senate.

**CS for SB 186**—A bill to be entitled An act relating to misdemeanor pretrial substance abuse programs; amending s. 948.16, F.S.; providing that a person who is charged with a nonviolent, nontraffic-related misdemeanor and identified as having a substance abuse problem or who is charged with certain other designated misdemeanor offenses, and who has not previously been convicted of a felony, may qualify for participation in a misdemeanor pretrial substance abuse program; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1112

Representative Legg in the Chair.

Yeas—116

Abruzzo	Diaz	Legg	Rogers
Adkins	Dorworth	Logan	Rooney
Ahern	Drake	Lopez-Cantera	Rouson
Albritton	Ford	Mayfield	Sands
Artiles	Fresen	McBurney	Saunders
Aubuchon	Frishe	McKeel	Schenck
Baxley	Fullwood	Metz	Schwartz
Bembry	Garcia	Moraitis	Slosberg
Berman	Gibbons	Nehr	Smith
Bernard	Glorioso	Nelson	Snyder
Bileca	Gonzalez	Nuñez	Soto
Boyd	Goodson	O'Toole	Stafford
Brandes	Grant	Oliva	Stargel
Brodeur	Grimsley	Pafford	Steube
Broxson	Hager	Passidomo	Taylor
Bullard	Harrell	Patronis	Thompson, G.
Burgin	Harrison	Perman	Thurston
Caldwell	Holder	Perry	Tobia
Campbell	Hooper	Pilon	Trujillo
Cannon	Horner	Plakon	Van Zant
Chestnut	Hudson	Porter	Waldman
Clarke-Reed	Hukill	Porth	Watson
Clemens	Ingram	Precourt	Weatherford
Coley	Jenne	Proctor	Weinstein
Corcoran	Jones	Ray	Williams, A.
Costello	Julien	Reed	Williams, T.
Crisafulli	Kiar	Rehwinkel	Wood
Cruz	Kreegel	Renuart	Workman
Davis	Kriseman	Roberson, K.	Young

Nays—2

Eisnaugle Gaetz

So the bill passed and was immediately certified to the Senate.

**SB 570**—A bill to be entitled An act relating to public records; defining the term "publicly owned performing arts center"; creating an exemption from public records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned performing arts center if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1113

Representative Legg in the Chair.

Yeas—118

Abruzzo	Dorworth	Legg	Rooney
Adkins	Drake	Logan	Rouson
Ahern	Eisnaugle	Lopez-Cantera	Sands
Albritton	Ford	Mayfield	Saunders
Artiles	Fresen	McBurney	Schenck
Aubuchon	Frishe	McKeel	Schwartz
Baxley	Fullwood	Metz	Slosberg
Bembry	Gaetz	Moraitis	Smith
Berman	Garcia	Nehr	Snyder
Bernard	Gibbons	Nelson	Soto
Bileca	Glorioso	Nuñez	Stafford
Boyd	Gonzalez	O'Toole	Stargel
Brandes	Goodson	Oliva	Steube
Brodeur	Grant	Pafford	Taylor
Broxson	Grimsley	Passidomo	Thompson, G.
Bullard	Hager	Patronis	Thurston
Burgin	Harrell	Perman	Tobia
Caldwell	Harrison	Perry	Trujillo
Campbell	Holder	Pilon	Van Zant
Cannon	Hooper	Plakon	Waldman
Chestnut	Horner	Porter	Watson
Clarke-Reed	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	

Nays—None

So the bill passed by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

**SB 1724**—A bill to be entitled An act relating to mosquito control districts; repealing s. 388.191, F.S., relating to certain powers of the board of county commissioners to hold, control, acquire, or purchase real or personal property, condemn land or easements, exercise the right of eminent domain, and institute and maintain condemnation proceedings for a mosquito control district; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1114

Representative Legg in the Chair.

Yeas—117

Abruzzo	Drake	Logan	Rouson
Adkins	Eisnaugle	Lopez-Cantera	Sands
Ahern	Ford	Mayfield	Saunders
Albritton	Fresen	McBurney	Schenck
Artiles	Frishe	McKeel	Schwartz
Aubuchon	Fullwood	Metz	Slosberg
Baxley	Gaetz	Moraitis	Smith
Bembry	Garcia	Nehr	Snyder
Berman	Gibbons	Nelson	Soto
Bernard	Glorioso	Nuñez	Stafford
Bileca	Gonzalez	O'Toole	Stargel
Boyd	Goodson	Oliva	Steube
Brandes	Grant	Pafford	Taylor
Brodeur	Grimsley	Passidomo	Thompson, G.
Broxson	Hager	Patronis	Thurston
Bullard	Harrell	Perman	Tobia
Burgin	Harrison	Perry	Trujillo
Caldwell	Holder	Pilon	Van Zant
Campbell	Hooper	Plakon	Waldman
Cannon	Horner	Porter	Watson
Chestnut	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	
Dorworth	Legg	Rooney	

Nays—None

Votes after roll call:

Yeas—Clarke-Reed

So the bill passed and was immediately certified to the Senate.

**SB 140**—A bill to be entitled An act relating to repeal of a workers' compensation reporting requirement; repealing s. 440.59, F.S., relating to the duty of the Department of Financial Services to make an annual report on the administration of ch. 440, F.S., the Workers' Compensation Law, to specified officials; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1115

Representative Legg in the Chair.

Yeas—118

Abruzzo	Crisafulli	Hukill	Pilon
Adkins	Cruz	Ingram	Plakon
Ahern	Davis	Jenne	Porter
Albritton	Diaz	Jones	Porth
Artiles	Dorworth	Julien	Precourt
Aubuchon	Drake	Kiar	Proctor
Baxley	Eisnaugle	Kreegel	Ray
Bembry	Ford	Kriseman	Reed
Berman	Fresen	Legg	Rehwinkel Vasilinda
Bernard	Frishe	Logan	Renuart
Bileca	Fullwood	Lopez-Cantera	Roberson, K.
Boyd	Gaetz	Mayfield	Rogers
Brandes	Garcia	McBurney	Rooney
Brodeur	Gibbons	McKeel	Rouson
Broxson	Glorioso	Metz	Sands
Bullard	Gonzalez	Moraitis	Saunders
Burgin	Goodson	Nehr	Schenck
Caldwell	Grant	Nelson	Schwartz
Campbell	Grimsley	Nuñez	Slosberg
Cannon	Hager	O'Toole	Smith
Chestnut	Harrell	Oliva	Snyder
Clarke-Reed	Harrison	Pafford	Soto
Clemens	Holder	Passidomo	Stafford
Coley	Hooper	Patronis	Stargel
Corcoran	Horner	Perman	Steube
Costello	Hudson	Perry	Taylor

Thompson, G.	Van Zant	Weinstein	Workman
Thurston	Waldman	Williams, A.	Young
Tobia	Watson	Williams, T.	
Trujillo	Weatherford	Wood	

Nays—None

So the bill passed and was immediately certified to the Senate.

**SB 878**—A bill to be entitled An act relating to Florida College System personnel records; amending s. 1012.81, F.S.; specifying records that constitute limited-access records; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1116

Representative Legg in the Chair.

Yeas—117

Abruzzo	Drake	Logan	Rouson
Adkins	Eisnaugle	Lopez-Cantera	Sands
Ahern	Ford	Mayfield	Saunders
Albritton	Fresen	McBurney	Schenck
Artiles	Frishe	McKeel	Schwartz
Aubuchon	Fullwood	Metz	Slosberg
Baxley	Gaetz	Moraitis	Smith
Bembry	Garcia	Nehr	Snyder
Berman	Gibbons	Nelson	Soto
Bernard	Glorioso	Nuñez	Stafford
Bileca	Gonzalez	O'Toole	Stargel
Boyd	Goodson	Oliva	Steube
Brandes	Grant	Pafford	Taylor
Brodeur	Grimsley	Passidomo	Thompson, G.
Broxson	Hager	Patronis	Thurston
Bullard	Harrell	Perman	Tobia
Burgin	Harrison	Perry	Trujillo
Caldwell	Holder	Pilon	Van Zant
Campbell	Hooper	Plakon	Waldman
Cannon	Horner	Porter	Watson
Chestnut	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	
Dorworth	Legg	Rooney	

Nays—None

Votes after roll call:

Yeas—Clarke-Reed

So the bill passed and was immediately certified to the Senate.

**SB 374**—A bill to be entitled An act relating to public records; amending s. 272.136, F.S.; exempting from public record requirements all identifying information of a donor or prospective donor to the direct-support organization of the Florida Historic Capitol and the Legislative Research Center and Museum; providing for future repeal and legislative review of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1117

Representative Legg in the Chair.

Yeas—116

Abruzzo	Dorworth	Kriseman	Roberson, K.
Adkins	Drake	Legg	Rogers
Ahern	Eisnaugle	Logan	Rooney
Albritton	Ford	Lopez-Cantera	Rouson
Artiles	Fresen	Mayfield	Sands
Aubuchon	Frishe	McBurney	Saunders
Baxley	Fullwood	McKeel	Schenck
Bembry	Gaetz	Metz	Schwartz
Berman	Garcia	Moraitis	Slosberg
Bernard	Gibbons	Nehr	Smith
Bileca	Glorioso	Nelson	Snyder
Boyd	Gonzalez	Nuñez	Soto
Brandes	Goodson	O'Toole	Stafford
Brodeur	Grant	Oliva	Stargel
Broxson	Grimsley	Pafford	Steube
Bullard	Hager	Passidomo	Taylor
Burgin	Harrell	Patronis	Thurston
Caldwell	Harrison	Perman	Tobia
Campbell	Holder	Perry	Trujillo
Cannon	Hooper	Pilon	Van Zant
Chestnut	Horner	Plakon	Waldman
Clemens	Hudson	Porter	Watson
Coley	Hukill	Porth	Weatherford
Corcoran	Ingram	Precourt	Weinstein
Costello	Jenne	Proctor	Williams, A.
Crisafulli	Jones	Ray	Williams, T.
Cruz	Julien	Reed	Wood
Davis	Kiar	Rehwinkel Vasilinda	Workman
Diaz	Kreegel	Renuart	Young

Nays—None

Votes after roll call:

Yeas—Clarke-Reed, Thompson, G.

So the bill passed by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

**CS for SB 1856**—A bill to be entitled An act relating to public meetings and public records; providing an exemption from public meeting requirements for certain meetings of a peer review panel under the James and Esther King Biomedical Research Program and the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; providing an exemption from public records requirements for certain records related to biomedical research grant applications; providing an exemption from public records requirements for research grant applications provided to, and reviewed by, the peer review panel; providing exceptions to the exemption; providing for legislative review and repeal of the exemptions; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1118

Representative Legg in the Chair.

Yeas—115

Abruzzo	Cannon	Gibbons	Kriseman
Adkins	Chestnut	Glorioso	Legg
Ahern	Clemens	Gonzalez	Logan
Albritton	Coley	Goodson	Lopez-Cantera
Artiles	Corcoran	Grant	Mayfield
Aubuchon	Costello	Grimsley	McBurney
Baxley	Crisafulli	Harrell	McKeel
Bembry	Cruz	Harrison	Metz
Berman	Davis	Holder	Moraitis
Bernard	Diaz	Hooper	Nehr
Bileca	Dorworth	Horner	Nelson
Boyd	Drake	Hudson	Nuñez
Brandes	Eisnaugle	Hukill	O'Toole
Brodeur	Ford	Ingram	Oliva
Broxson	Fresen	Jenne	Pafford
Bullard	Frishe	Jones	Passidomo
Burgin	Fullwood	Julien	Patronis
Caldwell	Gaetz	Kiar	Perman
Campbell	Garcia	Kreegel	Perry

Pilon	Roberson, K.	Soto	Waldman
Plakon	Rogers	Stafford	Watson
Porter	Rooney	Stargel	Weatherford
Porth	Rouson	Steube	Weinstein
Precourt	Sands	Taylor	Williams, A.
Proctor	Saunders	Thompson, G.	Williams, T.
Ray	Schenck	Thurston	Wood
Reed	Slosberg	Tobia	Workman
Rehwinkel Vasilinda	Smith	Trujillo	Young
Renuart	Snyder	Van Zant	

Nays—None

Votes after roll call:

Yeas—Clarke-Reed, Schwartz

So the bill passed by the required constitutional two-thirds vote of the members voting and was immediately certified to the Senate.

**SB 276**—A bill to be entitled An act relating to recognition of military personnel and veterans; amending s. 265.003, F.S.; creating the Florida Veterans' Hall of Fame Council within the Department of Veterans' Affairs; providing for membership, terms of members, and organization of the council; revising provisions relating to nomination of persons to the Florida Veterans' Hall of Fame; providing for annual acceptance of nominations by the council; authorizing the council to establish criteria for such nominations; creating s. 683.146, F.S.; designating August 7 of each year as "Purple Heart Day"; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1119

Representative Legg in the Chair.

Yeas—117

Abruzzo	Drake	Logan	Rouson
Adkins	Eisnaugle	Lopez-Cantera	Sands
Ahern	Ford	Mayfield	Saunders
Albritton	Fresen	McBurney	Schenck
Artiles	Frishe	McKeel	Schwartz
Aubuchon	Fullwood	Metz	Slosberg
Baxley	Gaetz	Moraitis	Smith
Bembry	Garcia	Nehr	Snyder
Berman	Gibbons	Nelson	Soto
Bernard	Glorioso	Nuñez	Stafford
Bileca	Gonzalez	O'Toole	Stargel
Boyd	Goodson	Oliva	Steube
Brandes	Grant	Pafford	Taylor
Brodeur	Grimsley	Passidomo	Thompson, G.
Broxson	Hager	Patronis	Thurston
Bullard	Harrell	Perman	Tobia
Burgin	Harrison	Perry	Trujillo
Caldwell	Holder	Pilon	Van Zant
Campbell	Hooper	Plakon	Waldman
Cannon	Horner	Porter	Watson
Chestnut	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	
Dorworth	Legg	Rooney	

Nays—None

Votes after roll call:

Yeas—Clarke-Reed

So the bill passed and was immediately certified to the Senate.

**SB 326**—A bill to be entitled An act relating to state symbols; creating s. 15.0465, F.S.; designating the schooner Western Union as the official state flagship; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1120

Representative Legg in the Chair.

Yeas—115

Abruzzo	Drake	Logan	Rooney
Adkins	Eisnaugle	Lopez-Cantera	Rouson
Ahern	Ford	Mayfield	Sands
Albritton	Fresen	McBurney	Saunders
Artiles	Frishe	McKeel	Schenck
Aubuchon	Fullwood	Metz	Schwartz
Baxley	Gaetz	Moraitis	Slosberg
Bembry	Gibbons	Nehr	Smith
Berman	Glorioso	Nelson	Snyder
Bernard	Gonzalez	Nuñez	Soto
Bileca	Goodson	O'Toole	Stafford
Boyd	Grant	Oliva	Stargel
Brandes	Grimsley	Pafford	Steube
Brodeur	Hager	Passidomo	Taylor
Broxson	Harrell	Patronis	Thompson, G.
Bullard	Harrison	Perman	Thurston
Burgin	Holder	Perry	Tobia
Caldwell	Hooper	Pilon	Trujillo
Cannon	Horner	Plakon	Van Zant
Chestnut	Hudson	Porter	Waldman
Clemens	Hukill	Porth	Watson
Coley	Ingram	Precourt	Weatherford
Corcoran	Jenne	Proctor	Weinstein
Costello	Jones	Ray	Williams, A.
Crisafulli	Julien	Reed	Williams, T.
Cruz	Kiar	Rehwinkel Vasilinda	Wood
Davis	Kreegel	Renuart	Workman
Diaz	Kriseman	Roberson, K.	Young
Dorworth	Legg	Rogers	

Nays—None

Votes after roll call:

Yeas—Campbell, Clarke-Reed

So the bill passed and was immediately certified to the Senate.

**SB 446**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.25661, F.S., relating to a public records exemption for insurance claim data exchange information used for identifying parents who owe past due child support; saving the exemption from repeal under the Open Government Sunset Review Act; removing the scheduled repeal of the exemption; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1121

Representative Legg in the Chair.

Yeas—116

Abruzzo	Brandes	Corcoran	Fullwood
Adkins	Brodeur	Costello	Gaetz
Ahern	Broxson	Crisafulli	Garcia
Albritton	Bullard	Cruz	Gibbons
Artiles	Burgin	Davis	Glorioso
Aubuchon	Caldwell	Diaz	Gonzalez
Baxley	Campbell	Dorworth	Goodson
Bembry	Cannon	Drake	Grant
Berman	Chestnut	Eisnaugle	Grimsley
Bernard	Clarke-Reed	Ford	Hager
Bileca	Clemens	Fresen	Harrison
Boyd	Coley	Frishe	Holder

Hooper	Metz	Proctor	Stafford
Horner	Moraitis	Ray	Stargel
Hudson	Nehr	Reed	Steube
Hukill	Nelson	Rehwinkel Vasilinda	Taylor
Ingram	Nuñez	Renuart	Thompson, G.
Jenne	O'Toole	Roberson, K.	Thurston
Jones	Oliva	Rogers	Tobia
Julien	Pafford	Rooney	Trujillo
Kiar	Passidomo	Rouson	Van Zant
Kreegel	Patronis	Sands	Waldman
Kriseman	Perman	Saunders	Weatherford
Legg	Perry	Schenck	Weinstein
Logan	Pilon	Schwartz	Williams, A.
Lopez-Cantera	Plakon	Slosberg	Williams, T.
Mayfield	Porter	Smith	Wood
McBurney	Porth	Snyder	Workman
McKeel	Precourt	Soto	Young

Nays—1

Watson

Votes after roll call:

Nays to Yeas—Watson

So the bill passed and was immediately certified to the Senate.

**CS for SB 116**—A bill to be entitled An act relating to freeholder voting; amending s. 100.241, F.S.; permitting the submission of a written declaration to establish that an elector is a freeholder and qualified to vote in an election or referendum limited to freeholders who are qualified to vote; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1122

Representative Legg in the Chair.

Yeas—118

Abruzzo	Dorworth	Legg	Rooney
Adkins	Drake	Logan	Rouson
Ahern	Eisnaugle	Lopez-Cantera	Sands
Albritton	Ford	Mayfield	Saunders
Artiles	Fresen	McBurney	Schenck
Aubuchon	Frishe	McKeel	Schwartz
Baxley	Fullwood	Metz	Slosberg
Bembry	Gaetz	Moraitis	Smith
Berman	Garcia	Nehr	Snyder
Bernard	Gibbons	Nelson	Soto
Bileca	Glorioso	Nuñez	Stafford
Boyd	Gonzalez	O'Toole	Stargel
Brandes	Goodson	Oliva	Steube
Brodeur	Grant	Pafford	Taylor
Broxson	Grimsley	Passidomo	Thompson, G.
Bullard	Hager	Patronis	Thurston
Burgin	Harrell	Perman	Tobia
Caldwell	Harrison	Perry	Trujillo
Campbell	Holder	Pilon	Van Zant
Cannon	Hooper	Plakon	Waldman
Chestnut	Horner	Porter	Watson
Clarke-Reed	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	

Nays—None

So the bill passed and was immediately certified to the Senate.



**CS for SB 1050**—A bill to be entitled An act relating to fiduciaries; amending s. 701.04, F.S.; requiring a mortgage holder to provide certain information within a specified time relating to the unpaid loan balance due under a mortgage if a mortgagor, a record title owner of the property, a fiduciary or trustee lawfully acting on behalf of a record title owner, or any person lawfully authorized to act on behalf of a mortgagor or record title owner of the property makes a written request under certain circumstances; allowing financial institutions to release certain mortgagor information to specified persons without penalty; amending s. 738.102, F.S.; defining the term "carrying value"; amending s. 738.103, F.S.; providing for application; amending s. 738.104, F.S.; deleting a provision authorizing a trustee to release the power to adjust between principal and income if the trustee desires to convert the form of certain trusts; limiting the power to adjust a trust; deleting a provision that provides for construction and application relating to the administration of trusts in this state or under this state's law; amending s. 738.1041, F.S.; defining the term "average fair market value" and revising definition of the term "unitrust amount"; deleting a duplicative provision relating to conclusive determinations of the terms of a unitrust; revising provisions relating to an express total return unitrust; amending s. 738.105, F.S.; substituting the term "trustee" for "fiduciary" with respect to judicial control of discretionary powers; amending s. 738.201, F.S.; revising provisions relating to the determination and distribution of net income; amending s. 738.202, F.S.; revising provisions relating to distributions to residuary and remainder beneficiaries; amending ss. 738.301, 738.302, and 738.303, F.S.; substituting the term "fiduciary" for "trustee" to clarify that provisions apply to all fiduciaries; amending s. 738.401, F.S.; substituting the term "fiduciary" for "trustee" to clarify that provisions apply to all fiduciaries; revising how distributions from entities are allocated between income and principal; amending ss. 738.402, 738.403, 738.501, 738.502, 738.503, 738.504, and 738.601, F.S.; substituting the term "fiduciary" for "trustee" to clarify that provisions apply to all fiduciaries; amending s. 738.602, F.S.; substituting the term "fiduciary" for "trustee" to clarify that provisions apply to all fiduciaries; revising provisions relating to allocations to trusts; amending s. 738.603, F.S.; substituting the term "fiduciary" for "trustee" to clarify that provisions apply to all fiduciaries; revising provisions relating to the allocation between income and principal when liquidating assets; amending ss. 738.604, 738.605, 738.606, 738.607, 738.608, 738.701, 738.702, 738.703, and 738.704, F.S.; substituting the term "fiduciary" for "trustee" to clarify that provisions apply to all fiduciaries; amending s. 738.705, F.S.; substituting the term "fiduciary" for "trustee" to clarify that provisions apply to all fiduciaries; revising the method for allocating income taxes between income and principal; amending s. 738.801, F.S.; clarifying the apportionment of expenses between tenants and remaindermen; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1123

Representative Legg in the Chair.

Yeas—116

Abruzzo	Cannon	Garcia	Julien
Adkins	Chestnut	Gibbons	Kiar
Ahern	Clarke-Reed	Glorioso	Kreegel
Albritton	Clemens	Gonzalez	Kriseman
Artiles	Coley	Goodson	Legg
Aubuchon	Corcoran	Grant	Logan
Bembry	Costello	Grimsley	Lopez-Cantera
Berman	Crisafulli	Hager	Mayfield
Bernard	Cruz	Harrell	McBurney
Bileca	Davis	Harrison	McKeel
Boyd	Diaz	Holder	Metz
Brandes	Dorworth	Hooper	Moraitis
Brodeur	Drake	Horner	Nehr
Broxson	Eisnaugle	Hudson	Nelson
Bullard	Ford	Hukill	Nuñez
Burgin	Fresen	Ingram	O'Toole
Caldwell	Fullwood	Jenne	Oliva
Campbell	Gaetz	Jones	Pafford

Passidomo	Reed	Slosberg	Trujillo
Patronis	Rehwinkel Vasilinda	Smith	Van Zant
Perman	Renuart	Snyder	Waldman
Perry	Roberson, K.	Soto	Watson
Pilon	Rogers	Stafford	Weatherford
Plakon	Rooney	Stargel	Weinstein
Porter	Rouson	Steube	Williams, A.
Porth	Sands	Taylor	Williams, T.
Precourt	Saunders	Thompson, G.	Wood
Proctor	Schenck	Thurston	Workman
Ray	Schwartz	Tobia	Young

Nays—None

Votes after roll call:

Yeas—Baxley, Frishe

So the bill passed and was immediately certified to the Senate.

**SB 792**—A bill to be entitled An act relating to financial institutions; providing definitions; requiring a financial institution that is chartered in this state and that maintains certain accounts with a foreign financial institution to establish due diligence policies, procedures, and controls reasonably designed to detect whether the foreign financial institution engages in certain activities facilitating the development of weapons of mass destruction by the Government of Iran, provides support for certain foreign terrorist organizations, or participates in other related activities; requiring the Financial Services Commission to adopt rules establishing minimum standards for the due diligence policies, procedures, and controls; requiring a financial institution chartered in this state to annually file a compliance certificate with the Office of Financial Regulation; requiring that the Office of Financial Regulation submit an annual report relating to the Financial Services Commission rules and certifications from financial institutions to the Governor, the President of the Senate, and the Speaker of the House of Representatives; requiring that the Office of Financial Regulation make the annual report available to the public on its website; authorizing the Office of Financial Regulation to impose an administrative fine against a financial institution that fails to make the annual certification required by the act; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1124

Representative Legg in the Chair.

Yeas—118

Abruzzo	Crisafulli	Hukill	Pilon
Adkins	Cruz	Ingram	Plakon
Ahern	Davis	Jenne	Porter
Albritton	Diaz	Jones	Porth
Artiles	Dorworth	Julien	Precourt
Aubuchon	Drake	Kiar	Proctor
Baxley	Eisnaugle	Kreegel	Ray
Bembry	Ford	Kriseman	Reed
Berman	Fresen	Legg	Rehwinkel Vasilinda
Bernard	Frishe	Logan	Renuart
Bileca	Fullwood	Lopez-Cantera	Roberson, K.
Boyd	Gaetz	Mayfield	Rogers
Brandes	Garcia	McBurney	Rooney
Brodeur	Gibbons	McKeel	Rouson
Broxson	Glorioso	Metz	Sands
Bullard	Gonzalez	Moraitis	Saunders
Burgin	Goodson	Nehr	Schenck
Caldwell	Grant	Nelson	Schwartz
Campbell	Grimsley	Nuñez	Slosberg
Cannon	Hager	O'Toole	Smith
Chestnut	Harrell	Oliva	Snyder
Clarke-Reed	Harrison	Pafford	Soto
Clemens	Holder	Passidomo	Stafford
Coley	Hooper	Patronis	Stargel
Corcoran	Horner	Perman	Steube
Costello	Hudson	Perry	Taylor

Thompson, G.	Van Zant	Weinstein	Workman
Thurston	Waldman	Williams, A.	Young
Tobia	Watson	Williams, T.	
Trujillo	Weatherford	Wood	

Session Vote Sequence: 1126

Representative Legg in the Chair.

Nays—None

Yeas—117

So the bill passed and was immediately certified to the Senate.

**SB 520**—A bill to be entitled An act relating to veteran's guardianship; repealing s. 744.103, F.S., relating to guardians of incapacitated world war veterans; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1125

Representative Legg in the Chair.

Yeas—118

Abruzzo	Dorworth	Legg	Rooney
Adkins	Drake	Logan	Rouson
Ahern	Eisnaugle	Lopez-Cantera	Sands
Albritton	Ford	Mayfield	Saunders
Artiles	Fresen	McBurney	Schenck
Aubuchon	Frishe	McKeel	Schwartz
Baxley	Fullwood	Metz	Slosberg
Bembry	Gaetz	Moraitis	Smith
Berman	Garcia	Nehr	Snyder
Bernard	Gibbons	Nelson	Soto
Bileca	Glorioso	Nuñez	Stafford
Boyd	Gonzalez	O'Toole	Stargel
Brandes	Goodson	Oliva	Steube
Brodeur	Grant	Pafford	Taylor
Broxson	Grimsley	Passidomo	Thompson, G.
Bullard	Hager	Patronis	Thurston
Burgin	Harrell	Perman	Tobia
Caldwell	Harrison	Perry	Trujillo
Campbell	Holder	Pilon	Van Zant
Cannon	Hooper	Plakon	Waldman
Chestnut	Horner	Porter	Watson
Clarke-Reed	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel Vasilinda	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	

Nays—None

So the bill passed and was immediately certified to the Senate.

**SB 278**—A bill to be entitled An act relating to preventing deaths from drug-related overdoses; providing a short title; creating s. 893.21, F.S.; providing that a person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose may not be charged, prosecuted, or penalized for specified offenses in certain circumstances; providing that a person who experiences a drug-related overdose and needs medical assistance may not be charged, prosecuted, or penalized for specified offenses in certain circumstances; providing that the protections from prosecution for specified offenses are not grounds for suppression of evidence in other prosecutions; amending s. 921.0026, F.S.; amending mitigating circumstances under which a departure from the lowest permissible criminal sentence is reasonably justified to include circumstances in which a defendant was making a good faith effort to obtain or provide medical assistance for an individual experiencing a drug-related overdose; providing an effective date.

—was read the third time by title. On passage, the vote was:

Abruzzo	Dorworth	Logan	Rouson
Adkins	Drake	Lopez-Cantera	Sands
Ahern	Eisnaugle	Mayfield	Saunders
Albritton	Ford	McBurney	Schenck
Artiles	Fresen	McKeel	Schwartz
Aubuchon	Frishe	Metz	Slosberg
Baxley	Fullwood	Moraitis	Smith
Bembry	Garcia	Nehr	Snyder
Berman	Gibbons	Nelson	Soto
Bernard	Glorioso	Nuñez	Stafford
Bileca	Gonzalez	O'Toole	Stargel
Boyd	Goodson	Oliva	Steube
Brandes	Grant	Pafford	Taylor
Brodeur	Grimsley	Passidomo	Thompson, G.
Broxson	Hager	Patronis	Thurston
Bullard	Harrell	Perman	Tobia
Burgin	Harrison	Perry	Trujillo
Caldwell	Holder	Pilon	Van Zant
Campbell	Hooper	Plakon	Waldman
Cannon	Horner	Porter	Watson
Chestnut	Hudson	Porth	Weatherford
Clarke-Reed	Hukill	Precourt	Weinstein
Clemens	Ingram	Proctor	Williams, A.
Coley	Jenne	Ray	Williams, T.
Corcoran	Jones	Reed	Wood
Costello	Julien	Rehwinkel Vasilinda	Workman
Crisafulli	Kiar	Renuart	Young
Cruz	Kreegel	Roberson, K.	
Davis	Kriseman	Rogers	
Diaz	Legg	Rooney	

Nays—1

Gaetz

So the bill passed and was immediately certified to the Senate.

**CS for SB 226**—A bill to be entitled An act relating to disabled parking permits; amending s. 318.18, F.S.; providing for a parking enforcement specialist or agency to validate compliance for the disposition of a citation issued for illegally parking in a space provided for people who have disabilities; amending s. 320.0848, F.S.; revising requirements for renewal or replacement of a disabled parking permit; prohibiting applying for a new disabled parking permit for a certain period of time upon a second finding of guilt or plea of nolo contendere to unlawful use of such permit; requiring the Department of Highway Safety and Motor Vehicles to randomly review disabled parking permitholders, verify certain information, and invalidate the permit of a deceased permitholder; directing the department to implement a means for reporting abuse of disabled parking permits; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1127

Representative Legg in the Chair.

Yeas—118

Abruzzo	Berman	Burgin	Corcoran
Adkins	Bernard	Caldwell	Costello
Ahern	Bileca	Campbell	Crisafulli
Albritton	Boyd	Cannon	Cruz
Artiles	Brandes	Chestnut	Davis
Aubuchon	Brodeur	Clarke-Reed	Diaz
Baxley	Broxson	Clemens	Dorworth
Bembry	Bullard	Coley	Drake

Eisnaugle	Jenne	Perman	Snyder
Ford	Jones	Perry	Soto
Fresen	Julien	Pilon	Stafford
Frishe	Kiar	Plakon	Stargel
Fullwood	Kreegel	Porter	Steube
Gaetz	Kriseman	Porth	Taylor
Garcia	Legg	Precourt	Thompson, G.
Gibbons	Logan	Proctor	Thurston
Glorioso	Lopez-Cantera	Ray	Tobia
Gonzalez	Mayfield	Reed	Trujillo
Goodson	McBurney	Rehwinkel	Van Zant
Grant	McKeel	Renuart	Waldman
Grimsley	Metz	Roberson, K.	Watson
Hager	Moraitis	Rogers	Weatherford
Harrell	Nehr	Rooney	Weinstein
Harrison	Nelson	Rouson	Williams, A.
Holder	Nuñez	Sands	Williams, T.
Hooper	O'Toole	Saunders	Wood
Horner	Oliva	Schenck	Workman
Hudson	Pafford	Schwartz	Young
Hukill	Passidomo	Slosberg	
Ingram	Patronis	Smith	

Nays—None

So the bill passed and was immediately certified to the Senate.

**SB 990**—A bill to be entitled An act relating to natural guardians; amending s. 744.301, F.S.; revising provisions relating to the authority of natural guardians to act on behalf of their children; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1128

Representative Legg in the Chair.

Yeas—118

Abruzzo	Dorworth	Legg	Rooney
Adkins	Drake	Logan	Rouson
Ahern	Eisnaugle	Lopez-Cantera	Sands
Albritton	Ford	Mayfield	Saunders
Artiles	Fresen	McBurney	Schenck
Aubuchon	Frishe	McKeel	Schwartz
Baxley	Fullwood	Metz	Slosberg
Bembry	Gaetz	Moraitis	Smith
Berman	Garcia	Nehr	Snyder
Bernard	Gibbons	Nelson	Soto
Bileca	Glorioso	Nuñez	Stafford
Boyd	Gonzalez	O'Toole	Stargel
Brandes	Goodson	Oliva	Steube
Brodeur	Grant	Pafford	Taylor
Broxson	Grimsley	Passidomo	Thompson, G.
Bullard	Hager	Patronis	Thurston
Burgin	Harrell	Perman	Tobia
Caldwell	Harrison	Perry	Trujillo
Campbell	Holder	Pilon	Van Zant
Cannon	Hooper	Plakon	Waldman
Chestnut	Horner	Porter	Watson
Clarke-Reed	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	

Nays—None

So the bill passed and was immediately certified to the Senate.

**SB 608**—A bill to be entitled An act relating to the Florida Healthy Kids Corporation; amending s. 624.91, F.S.; revising the membership of the board

of directors of the Florida Healthy Kids Corporation to include a member nominated by the Florida Dental Association and appointed by the Governor; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1129

Representative Legg in the Chair.

Yeas—116

Abruzzo	Dorworth	Kriseman	Rogers
Adkins	Drake	Legg	Rooney
Ahern	Eisnaugle	Logan	Rouson
Albritton	Ford	Lopez-Cantera	Sands
Artiles	Fresen	Mayfield	Saunders
Aubuchon	Frishe	McBurney	Schenck
Baxley	Fullwood	McKeel	Schwartz
Bembry	Gaetz	Metz	Slosberg
Berman	Garcia	Moraitis	Smith
Bernard	Gibbons	Nehr	Snyder
Bileca	Glorioso	Nelson	Soto
Boyd	Gonzalez	Nuñez	Stafford
Brandes	Goodson	O'Toole	Stargel
Brodeur	Grant	Oliva	Steube
Broxson	Grimsley	Pafford	Taylor
Burgin	Hager	Passidomo	Thompson, G.
Caldwell	Harrell	Patronis	Thurston
Campbell	Harrison	Perman	Tobia
Cannon	Holder	Perry	Trujillo
Chestnut	Hooper	Pilon	Van Zant
Clarke-Reed	Horner	Plakon	Waldman
Clemens	Hudson	Porter	Watson
Coley	Hukill	Porth	Weatherford
Corcoran	Ingram	Precourt	Weinstein
Costello	Jenne	Proctor	Williams, A.
Crisafulli	Jones	Ray	Williams, T.
Cruz	Julien	Reed	Wood
Davis	Kiar	Renuart	Workman
Diaz	Kreegel	Roberson, K.	Young

Nays—None

Votes after roll call:

Yeas—Rehwinkel Vasilinda

So the bill passed and was immediately certified to the Senate.

**CS for SB 924**—A bill to be entitled An act relating to special observances; creating s. 683.185, F.S.; designating April 7 of each year as "Everglades Day"; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1130

Representative Legg in the Chair.

Yeas—117

Abruzzo	Burgin	Eisnaugle	Holder
Adkins	Caldwell	Ford	Hooper
Ahern	Campbell	Fresen	Horner
Albritton	Cannon	Frishe	Hudson
Artiles	Chestnut	Fullwood	Hukill
Aubuchon	Clarke-Reed	Gaetz	Ingram
Baxley	Clemens	Garcia	Jenne
Bembry	Coley	Gibbons	Jones
Berman	Corcoran	Glorioso	Julien
Bernard	Costello	Gonzalez	Kiar
Bileca	Crisafulli	Goodson	Kreegel
Boyd	Cruz	Grant	Kriseman
Brandes	Davis	Grimsley	Legg
Brodeur	Diaz	Hager	Logan
Broxson	Dorworth	Harrell	Lopez-Cantera
Bullard	Drake	Harrison	Mayfield

McBurney	Pilon	Saunders	Trujillo
McKeel	Plakon	Schenck	Van Zant
Metz	Porter	Schwartz	Waldman
Moraitis	Porth	Slosberg	Watson
Nehr	Precourt	Smith	Weatherford
Nelson	Proctor	Snyder	Weinstein
Núñez	Ray	Soto	Williams, A.
O'Toole	Reed	Stafford	Williams, T.
Oliva	Renuart	Stargel	Wood
Pafford	Roberson, K.	Steube	Workman
Passidomo	Rogers	Taylor	Young
Patronis	Rooney	Thompson, G.	
Perman	Rouson	Thurston	
Perry	Sands	Tobia	

Nays—None

Votes after roll call:

Yeas—Rehwinkel Vasilinda

So the bill passed and was immediately certified to the Senate.

**CS for CS for CS for SB 268**—A bill to be entitled An act relating to the sponsorship of state greenways and trails; creating the "John Anthony Wilson Bicycle Safety Act"; creating s. 260.0144, F.S.; providing for the Department of Environmental Protection to enter into concession agreements for commercial sponsorship displays to be displayed on certain state greenway and trail facilities or property; providing requirements for concession agreements; specifying which greenways and trails are included in the initial sponsorships; authorizing the department to enter into sponsorship agreements with entities to sponsor other state greenways and trails; providing for distribution of proceeds from the concession agreements; authorizing the department to adopt rules; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1131

Representative Legg in the Chair.

Yeas—112

Abruzzo	Dorworth	Legg	Rogers
Adkins	Eisnagle	Logan	Rooney
Ahern	Ford	Lopez-Cantera	Rouson
Albritton	Fresen	Mayfield	Sands
Artiles	Frishe	McBurney	Saunders
Aubuchon	Fullwood	McKeel	Schenck
Baxley	Gaetz	Metz	Slosberg
Bembry	Garcia	Moraitis	Smith
Berman	Gibbons	Nehr	Snyder
Bernard	Glorioso	Nelson	Soto
Bileca	Gonzalez	Núñez	Stafford
Boyd	Goodson	O'Toole	Stargel
Brandes	Grant	Oliva	Steube
Brodeur	Grimsley	Passidomo	Taylor
Broxson	Hager	Patronis	Thompson, G.
Burgin	Harrell	Perman	Thurston
Caldwell	Harrison	Perry	Tobia
Campbell	Holder	Pilon	Trujillo
Cannon	Hooper	Plakon	Van Zant
Chestnut	Horner	Porter	Waldman
Clarke-Reed	Hudson	Porth	Watson
Coley	Hukill	Precourt	Weatherford
Corcoran	Ingram	Proctor	Weinstein
Costello	Jones	Ray	Williams, A.
Crisafulli	Julien	Reed	Williams, T.
Cruz	Kiar	Rehwinkel Vasilinda	Wood
Davis	Kreegel	Renuart	Workman
Diaz	Kriseman	Roberson, K.	Young

Nays—6

Bullard	Drake	Pafford
Clemens	Jenne	Schwartz

So the bill passed and was immediately certified to the Senate.

**CS for CS for SB 922**—A bill to be entitled An act relating to current and former military personnel; amending s. 265.003, F.S.; creating the Florida Veterans' Hall of Fame Council; providing for membership and terms of appointment; providing for the appointment of a chair; providing for meetings, a quorum, and voting; providing for reimbursement of travel expenses; providing for the removal of an appointee; providing for the Florida Veterans' Hall of Fame Council rather than the Department of Veterans' Affairs to select nominees for induction into the Florida Veterans' Hall of Fame and to establish the criteria for selection; amending s. 295.187, F.S.; revising legislative intent; renaming and revising the Florida Service-Disabled Veteran Business Enterprise Opportunity Act to expand the vendor preference in state contracting to include certain businesses owned and operated by wartime veterans or veterans of a period of war; amending s. 320.08056, F.S.; providing the license plate annual use fee for an American Legion license plate; amending s. 320.08058, F.S.; creating the American Legion license plate; providing for the distribution of use fees received from the sale of the license plates; amending s. 320.089, F.S.; providing for the issuance of a Combat Infantry Badge license plate; providing qualifications and requirements for the plate; providing for the use of proceeds from the sale of the plate; providing for issuance of a Vietnam War Veterans' license plate and the Korean Conflict Veterans' license plate; providing qualifications and requirements for the plates; creating s. 320.0892, F.S.; providing for the Department of Highway Safety and Motor Vehicles to issue Silver Star, Distinguished Service Cross, Navy Cross, and Air Force Cross license plates, without payment of the license tax, to persons meeting specified criteria; creating s. 683.146, F.S.; designating August 7 of each year as "Purple Heart Day"; providing a short title; creating a court program for certain servicemembers and military veterans who suffer from mental illness, traumatic brain injury, substance use disorder, or psychological problems as a result of their military service; providing qualifications for entrance into the court program; amending s. 948.08, F.S.; creating a pretrial veterans' and servicemembers' treatment intervention program; providing requirements for a defendant to be voluntarily admitted to the pretrial program; providing certain exceptions to such admission; providing for the disposition of pending charges following a defendant's completion of the pretrial intervention program; providing for the charges to be expunged under certain circumstances; amending s. 948.16, F.S.; creating a misdemeanor pretrial veterans' treatment intervention program; providing requirements for voluntary admission to the misdemeanor pretrial program; providing for the misdemeanor charges to be expunged under certain circumstances; exempting treatment services provided by the Department of Veterans' Affairs or the United States Department of Veterans Affairs from certain contract requirements; creating s. 948.21, F.S.; authorizing the court to impose a condition of probation or community control for certain defendant veterans or servicemembers which requires participation in a treatment program capable of treating a mental illness, a traumatic brain injury, a substance use disorder, or a psychological problem; amending s. 1003.05, F.S.; requiring that a school board provide an option to school-aged dependents of military personnel to choose certain schools if the student is reassigned as a result of school rezoning; creating s. 1004.075, F.S.; requiring certain Florida College System institutions and state universities to provide priority course registration for veterans; providing eligibility requirements; creating s. 1005.09, F.S.; encouraging certain independent postsecondary educational institutions to provide priority course registration for veterans; amending s. 1009.21, F.S.; providing that veterans of the Armed Services of the United States, including reserve components thereof, who attend the physical location of a public college, university, or institution of higher learning within the state are residents for tuition purposes; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1132

Representative Legg in the Chair.

Yeas—117

Abruzzo	Drake	Logan	Rouson
Adkins	Eisnaugle	Lopez-Cantera	Sands
Ahern	Ford	Mayfield	Saunders
Albritton	Fresen	McBurney	Schenck
Artiles	Frishe	McKeel	Schwartz
Aubuchon	Fullwood	Metz	Slosberg
Baxley	Gaetz	Moraitis	Smith
Bembry	Garcia	Nehr	Snyder
Berman	Gibbons	Nelson	Soto
Bernard	Glorioso	Nuñez	Stafford
Bileca	Gonzalez	O'Toole	Stargel
Boyd	Goodson	Oliva	Steube
Brandes	Grant	Pafford	Taylor
Brodeur	Grimsley	Passidomo	Thompson, G.
Broxson	Hager	Patronis	Thurston
Bullard	Harrell	Perman	Tobia
Burgin	Harrison	Perry	Trujillo
Caldwell	Holder	Pilon	Van Zant
Campbell	Hooper	Plakon	Waldman
Cannon	Horner	Porter	Watson
Chestnut	Hudson	Porth	Weatherford
Clarke-Reed	Hukill	Precourt	Weinstein
Clemens	Ingram	Proctor	Williams, A.
Coley	Jenne	Ray	Williams, T.
Corcoran	Jones	Reed	Wood
Costello	Julien	Rehwinkel Vasilinda	Workman
Crisafulli	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	
Dorworth	Legg	Rooney	

Nays—None

Votes after roll call:

Yeas—Cruz

So the bill passed, as amended, and was immediately certified to the Senate.

**CS for SB 364**—A bill to be entitled An act relating to blood establishments; amending s. 381.06014, F.S.; redefining the term "blood establishment" and defining the term "volunteer donor"; prohibiting local governments from restricting access to public facilities or infrastructure for certain activities based on whether a blood establishment is operating as a for-profit organization or not-for-profit organization; prohibiting a blood establishment from considering whether certain customers are operating as for-profit organizations or not-for-profit organizations when determining service fees for selling blood or blood components; requiring that certain blood establishments disclose specified information on the Internet; authorizing the Department of Legal Affairs to assess a civil penalty against a blood establishment that fails to disclose specified information on the Internet; providing that the civil penalty accrues to the state and requiring that it be deposited as received into the General Revenue Fund; amending s. 499.003, F.S.; redefining the term "health care entity" to clarify that a blood establishment is a health care entity that may engage in certain activities; amending s. 499.005, F.S.; clarifying provisions that prohibit the unauthorized wholesale distribution of a prescription drug that was purchased by a hospital or other health care entity or donated or supplied at a reduced price to a charitable organization, to conform to changes made by the act; amending s. 499.01, F.S.; exempting certain blood establishments from the requirements to be permitted as a prescription drug manufacturer and register products; requiring that certain blood establishments obtain a restricted prescription drug distributor permit under specified conditions; limiting the prescription drugs that a blood establishment may distribute under a restricted prescription drug distributor permit; authorizing the Department of Business and Professional Regulation to adopt rules regarding the distribution of prescription drugs by blood establishments; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1133

Representative Legg in the Chair.

Yeas—116

Abruzzo	Diaz	Legg	Rogers
Adkins	Dorworth	Logan	Rooney
Ahern	Drake	Lopez-Cantera	Rouson
Albritton	Eisnaugle	Mayfield	Sands
Artiles	Ford	McBurney	Saunders
Aubuchon	Fresen	McKeel	Schenck
Baxley	Frishe	Metz	Schwartz
Bembry	Fullwood	Moraitis	Slosberg
Berman	Gaetz	Nehr	Smith
Bernard	Gibbons	Nelson	Snyder
Bileca	Glorioso	Nuñez	Soto
Boyd	Gonzalez	O'Toole	Stafford
Brandes	Goodson	Oliva	Stargel
Brodeur	Grant	Pafford	Steube
Broxson	Grimsley	Passidomo	Taylor
Bullard	Harrell	Patronis	Thompson, G.
Burgin	Harrison	Perman	Thurston
Caldwell	Holder	Perry	Tobia
Campbell	Hooper	Pilon	Trujillo
Cannon	Horner	Plakon	Van Zant
Chestnut	Hudson	Porter	Waldman
Clarke-Reed	Hukill	Porth	Watson
Clemens	Ingram	Precourt	Weatherford
Coley	Jenne	Proctor	Weinstein
Corcoran	Jones	Ray	Williams, A.
Costello	Julien	Reed	Williams, T.
Crisafulli	Kiar	Rehwinkel Vasilinda	Wood
Cruz	Kreegel	Renuart	Workman
Davis	Kriseman	Roberson, K.	Young

Nays—1

Garcia

So the bill passed, as amended, and was immediately certified to the Senate.

**CS for CS for CS for SB 694**—A bill to be entitled An act relating to adult day care centers; amending s. 429.917, F.S.; prohibiting an adult day care center from claiming to be licensed or designated as a specialized Alzheimer's services adult day care center under certain circumstances; creating s. 429.918, F.S.; providing a short title; providing definitions; providing for the licensure designation of adult day care centers that provide specialized Alzheimer's services by the Agency for Health Care Administration; providing for the denial or revocation of such designation under certain circumstances; requiring an adult day care center seeking such designation to meet specified criteria; providing educational and experience requirements for the operator of an adult day care center seeking licensure designation as a specialized Alzheimer's services adult day care center; providing criteria for staff training and supervision; requiring the Department of Elderly Affairs to approve the staff training; requiring the department to adopt rules; requiring that the employee be issued a certificate upon completion of the staff training; providing requirements for staff orientation; providing requirements for admission into such an adult day care center; requiring that a participant's file include a data sheet, which shall be completed within a certain timeframe; requiring that certain information be included in the data sheet; requiring that dementia-specific services be documented in a participant's file; requiring that a participant's plan of care be reviewed quarterly; requiring that certain notes be entered into a participant's file; requiring the participant, or caregiver, to provide the adult day care center with updated medical documentation; requiring the center to give each person who enrolls as a participant, or the caregiver, a copy of the participant's plan of care and safety information; requiring that the center coordinate and execute discharge procedures with a participant who has a documented diagnosis of Alzheimer's disease or a dementia-related disorder and the caregiver if the

participant's enrollment in the center is involuntarily terminated; providing that the act does not prohibit a licensed adult day care center that does not receive such a designation from providing adult day care services to persons who have Alzheimer's disease or other dementia-related disorders; authorizing the Department of Elderly Affairs to adopt rules; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1134

Representative Legg in the Chair.

Yeas—118

Abruzzo	Dorworth	Legg	Rooney
Adkins	Drake	Logan	Rouson
Ahern	Eisnaugle	Lopez-Cantera	Sands
Albritton	Ford	Mayfield	Saunders
Artiles	Fresen	McBurney	Schenck
Aubuchon	Frishe	McKeel	Schwartz
Baxley	Fullwood	Metz	Slosberg
Bembry	Gaetz	Moraitis	Smith
Berman	Garcia	Nehr	Snyder
Bernard	Gibbons	Nelson	Soto
Bileca	Glorioso	Nuñez	Stafford
Boyd	Gonzalez	O'Toole	Stargel
Brandes	Goodson	Oliva	Steube
Brodeur	Grant	Pafford	Taylor
Broxson	Grimsley	Passidomo	Thompson, G.
Bullard	Hager	Patronis	Thurston
Burgin	Harrell	Perman	Tobia
Caldwell	Harrison	Perry	Trujillo
Campbell	Holder	Pilon	Van Zant
Cannon	Hooper	Plakon	Waldman
Chestnut	Horne	Porter	Watson
Clarke-Reed	Hudson	Porth	Weatherford
Clemens	Hukill	Precourt	Weinstein
Coley	Ingram	Proctor	Williams, A.
Corcoran	Jenne	Ray	Williams, T.
Costello	Jones	Reed	Wood
Crisafulli	Julien	Rehwinkel	Workman
Cruz	Kiar	Renuart	Young
Davis	Kreegel	Roberson, K.	
Diaz	Kriseman	Rogers	

Nays—None

So the bill passed, as amended, and was immediately certified to the Senate.

Consideration of **CS for SB 730** was temporarily postponed.

## Recessed

The House recessed at 3:27 p.m., to reconvene at 3:32 p.m.

## Reconvened

The House was called to order by the Speaker at 3:36 p.m. A quorum was present [Session Vote Sequence: 1135].

## Remarks

The Speaker recognized Representative Legg, who gave brief farewell remarks.

The Speaker recognized Representative Aubuchon, who gave brief farewell remarks.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 1136].

**CS for SB 730**—A bill to be entitled An act relating to Medicaid managed care plans; amending s. 409.9122, F.S.; requiring the Agency for Health Care Administration to establish per-member, per-month payments; substituting the Medicare Advantage Coordinated Care Plan for the Medicare Advantage Special Needs Plan; amending s. 409.962, F.S.; revising the definition of "eligible plan" to include certain Medicare plans; amending s. 409.967, F.S.; limiting the penalty that a plan must pay if it leaves a region before the end of the contract term; amending s. 409.974, F.S.; correcting a cross-reference; providing that certain Medicare plans are not subject to procurement requirements or plan limits; amending s. 409.977, F.S.; requiring dually eligible Medicaid recipients to be enrolled in the Medicare plan in which they are already enrolled; amending s. 409.981, F.S.; revising the list of Medicare plans that are not subject to procurement requirements for long-term care plans; amending s. 409.984, F.S.; revising the list of Medicare plans in which dually eligible Medicaid recipients are enrolled in order to receive long-term care; providing an effective date.

—was read the third time by title.

Representative Schwartz offered the following:

(Amendment Bar Code: 632609)

**Amendment 3 to Amendment 1 (173059) (with title amendment)**—Remove line 261 and insert:  
for the period.

Any penalty that is imposed because the plan does not meet the medical loss ratio or because the sums used for patient care exceed the medical loss ratio shall be deposited into the General Revenue Fund and used exclusively for patient care.

## TITLE AMENDMENT

Remove line 507 and insert:  
and providing the method of calculation; providing for the deposit and use of designated penalties; amending s.

Rep. Schwartz moved the adoption of the amendment to the amendment. Subsequently, **Amendment 3 to Amendment 1** was withdrawn.

Representative Schwartz offered the following:

(Amendment Bar Code: 597627)

**Amendment 4 to Amendment 1 (173059)**—Remove line 261 and insert:  
for the period. No transfer for intergovernmental transfers shall be used under this section.

Rep. Schwartz moved the adoption of the amendment to the amendment, which failed to receive the required two-thirds vote for adoption.

Representative Schwartz offered the following:

(Amendment Bar Code: 599555)

**Amendment 5 to Amendment 1 (173059) (with title amendment)**—Remove lines 264-283 and insert:

409.961 Statutory construction; applicability; rules.—

(1) It is the intent of the Legislature that if any conflict exists between the provisions contained in this part and in other parts of this chapter, the provisions in this part control. Sections 409.961–409.985 apply only to the Medicaid managed medical assistance program and long-term care managed care program, as provided in this part. The agency shall adopt any rules necessary to comply with or administer this part and all rules necessary to comply with federal requirements. In addition, the department shall adopt and accept the transfer of any rules necessary to carry out the department's responsibilities for receiving and processing Medicaid applications and determining Medicaid eligibility and for ensuring compliance with and

administering this part, as those rules relate to the department's responsibilities, and any other provisions related to the department's responsibility for the determination of Medicaid eligibility.

(2) For the purpose of fulfilling contract requirements, plans must disclose chief executive officer compensation and executive compensation packages by prospective contractors under consideration, such as the standards for disclosure of executive compensation described in Item 402 of Regulation S-K adopted by the United States Securities and Exchange Commission. Required disclosure must include, but is not limited to:

(a) Compensatory information for the contracting entity's chief executive officer and its four most highly compensated executive officers other than the chief executive officer.

(b) A series of tables setting forth each compensatory element for a particular year.

(c) A report by the contractor or subcontractor articulating the basis for their compensation decisions, including the relationship to corporate performance.

(d) Where applicable, a comparison of total shareholder returns of the contracting entity against those of a broad market index and a peer group.

#### TITLE AMENDMENT

Remove line 511 and insert:

Procedure Act; providing disclosure requirements for such contracts; amending s. 409.962, F.S.; including

Rep. Schwartz moved the adoption of the amendment to the amendment, which failed to receive the required two-thirds vote for adoption.

Representative Schwartz offered the following:

(Amendment Bar Code: 920765)

**Amendment 6 to Amendment 1 (173059) (with title amendment)**—Remove lines 280-283 and insert:  
Medicaid eligibility.

#### TITLE AMENDMENT

Remove lines 507-511 and insert:

and providing the method of calculation; amending s. 409.962, F.S.; including

Rep. Schwartz moved the adoption of the amendment to the amendment, which failed to receive the required two-thirds vote for adoption.

Representative Schenck offered the following:

(Amendment Bar Code: 865343)

**Amendment 7 to Amendment 1 (173059)**—Remove lines 328-336 and insert:

functions performed in the state. The second highest number of points shall be awarded to a plan that has a majority of its operational functions performed in the state. The agency may establish a third tier; however, preference points may not be awarded to plans that perform only community outreach, medical director functions, and state administrative functions in the state. For purposes of this subparagraph, operational functions include corporate headquarters, claims processing,

Rep. Schenck moved the adoption of the amendment to the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS for SB 730**. The vote was:

Session Vote Sequence: 1137

Speaker Cannon in the Chair.

Yeas—80

Adkins	Dorworth	Ingram	Precourt
Ahern	Drake	Kreegel	Proctor
Albritton	Eisnaugle	Legg	Ray
Artiles	Ford	Logan	Renuart
Aubuchon	Fresen	Lopez-Cantera	Roberson, K.
Baxley	Frishe	Mayfield	Rooney
Bileca	Gaetz	McBurney	Schenck
Boyd	Glorioso	Metz	Smith
Brandes	Gonzalez	Moraitis	Snyder
Brodeur	Goodson	Nehr	Stargel
Broxson	Grant	Nelson	Steube
Burgin	Grimsley	Núñez	Tobia
Caldwell	Hager	O'Toole	Trujillo
Cannon	Harrell	Oliva	Van Zant
Coley	Harrison	Passidomo	Weatherford
Corcoran	Holder	Patronis	Weinstein
Costello	Hooper	Perry	Williams, T.
Crisafulli	Horner	Pilon	Wood
Davis	Hudson	Plakon	Workman
Diaz	Hukill	Porter	Young

Nays—35

Abruzzo	Fullwood	Perman	Soto
Bembry	Garcia	Porth	Stafford
Berman	Gibbons	Reed	Taylor
Bernard	Jenne	Rogers	Thompson, G.
Bullard	Jones	Rouson	Thurston
Chestnut	Julien	Sands	Waldman
Clarke-Reed	Kiar	Saunders	Watson
Clemens	Kriseman	Schwartz	Williams, A.
Cruz	Pafford	Slosberg	

Votes after roll call:

Nays—Campbell, Rehwinkel Vasilinda

So the bill passed, as amended, and was immediately certified to the Senate.

**CS for SB 800**—A bill to be entitled An act relating to county boundary lines; amending s. 7.43, F.S.; incorporating a portion of St. Lucie County into Martin County; revising the legal description of Martin County; amending s. 7.59, F.S.; revising the legal description of St. Lucie County, to conform; transferring certain roads and associated rights-of-way; requiring that St. Lucie County and Martin County enter into an interlocal agreement that provides for a feasible plan for the transfer of county services, buildings, infrastructure, waterways, and employees and for the transfer of income generated from the area transferred by a time certain; limiting the annual loss of revenue from the transferred land; providing that the transfer is contingent upon approval of a referendum by the qualified electors residing in the area being transferred from St. Lucie County to Martin County; providing effective dates.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1138

Speaker Cannon in the Chair.

Yeas—113

Abruzzo	Burgin	Drake	Harrell
Adkins	Caldwell	Eisnaugle	Harrison
Ahern	Campbell	Ford	Holder
Albritton	Cannon	Fresen	Hooper
Artiles	Chestnut	Frishe	Horner
Aubuchon	Clarke-Reed	Fullwood	Hudson
Baxley	Clemens	Gaetz	Hukill
Bembry	Coley	Garcia	Ingram
Berman	Corcoran	Gibbons	Jenne
Bernard	Costello	Glorioso	Jones
Bileca	Crisafulli	Gonzalez	Julien
Boyd	Cruz	Goodson	Kiar
Brandes	Davis	Grant	Kreegel
Brodeur	Diaz	Grimsley	Kriseman
Bullard	Dorworth	Hager	Legg

Logan	Perry	Sands	Trujillo
Lopez-Cantera	Pilon	Saunders	Van Zant
Mayfield	Plakon	Schenck	Waldman
McBurney	Porter	Schwartz	Watson
Metz	Porth	Slosberg	Weatherford
Moraitis	Proctor	Snyder	Weinstein
Nehr	Ray	Soto	Williams, A.
Nelson	Reed	Stafford	Williams, T.
Núñez	Rehwinkel Vasilinda	Stargel	Wood
O'Toole	Renuart	Steube	Workman
Oliva	Roberson, K.	Taylor	Young
Passidomo	Rogers	Thompson, G.	
Patronis	Rooney	Thurston	
Perman	Rouson	Tobia	

Nays—2

Pafford                      Precourt

Votes after roll call:

Yeas—Broxson

So the bill passed, as amended, and was immediately certified to the Senate.

**SB 524**—A bill to be entitled An act relating to the restraint of incarcerated pregnant women; providing a short title; defining terms; prohibiting use of restraints on a prisoner known to be pregnant during labor, delivery, and postpartum recovery unless a corrections official determines that the prisoner presents an extraordinary circumstance; requiring that a corrections officer or other official accompanying a prisoner remove all restraints if the doctor, nurse, or other health care professional treating the prisoner requests that restraints not be used; prohibiting leg, ankle, or waist restraints from being used on a prisoner under specified circumstances; requiring that restraints be applied in the least restrictive manner necessary; requiring that the corrections official make written findings within 10 days as to the extraordinary circumstance that dictated the use of restraints; requiring that the findings be kept on file for a certain period and be made available for public inspection; restricting the use of waist, wrist, or leg and ankle restraints during the third trimester of pregnancy or when requested by a doctor, nurse, or other health care professional treating the prisoner; requiring that the use of restraints on a pregnant prisoner be by the least restrictive manner necessary; authorizing any woman who is restrained in violation of the act to file a grievance within a specified period; providing that these remedies do not prevent a woman harmed from filing a complaint under any other relevant federal or state law; directing the Department of Corrections and the Department of Juvenile Justice to adopt rules; requiring that correctional institutions and detention facilities inform female prisoners of the rules upon admission, include the policies and practices in the prisoner handbook, and post the policies and practices in the correctional institution or detention facility; requiring that the Secretary of Corrections, the Secretary of Juvenile Justice, and county and municipal corrections officials annually file written reports with the Executive Office of the Governor detailing each incident of restraint in violation of law or as an authorized exception; requiring that the reports be made available for public inspection; providing an effective date.

—was read the third time by title. On passage, the vote was:

Session Vote Sequence: 1139

Speaker Cannon in the Chair.

Yeas—114

Abruzzo	Berman	Burgin	Corcoran
Adkins	Bernard	Caldwell	Costello
Ahern	Bileca	Campbell	Crisafulli
Albritton	Boyd	Cannon	Cruz
Artiles	Brandes	Chestnut	Davis
Aubuchon	Brodeur	Clarke-Reed	Diaz
Baxley	Broxson	Clemens	Dorworth
Bembry	Bullard	Coley	Drake

Eisnagle	Ingram	Patronis	Smith
Ford	Jenne	Perman	Snyder
Fresen	Jones	Perry	Soto
Frishe	Julien	Pilon	Stafford
Fullwood	Kiar	Plakon	Stargel
Gaetz	Kreegel	Porter	Steube
Garcia	Kriseman	Porth	Taylor
Gibbons	Legg	Precourt	Thurston
Glorioso	Logan	Proctor	Tobia
Gonzalez	Lopez-Cantera	Ray	Trujillo
Goodson	Mayfield	Reed	Van Zant
Grant	McBurney	Rehwinkel Vasilinda	Watson
Grimsley	Metz	Renuart	Weatherford
Hager	Moraitis	Roberson, K.	Weinstein
Harrell	Nehr	Rogers	Williams, A.
Harrison	Nelson	Rooney	Williams, T.
Holder	Núñez	Sands	Wood
Hooper	O'Toole	Saunders	Workman
Horner	Oliva	Schenck	Young
Hudson	Pafford	Schwartz	
Hukill	Passidomo	Slosberg	

Nays—1

Rouson

Votes after roll call:

Yeas—Thompson, G.

Nays to Yeas—Rouson

So the bill passed, as amended, and was immediately certified to the Senate.

**CS for SB 692**—A bill to be entitled An act relating to local government; amending s. 165.031, F.S.; deleting definitions; amending s. 165.041, F.S.; revising the deadline for submission of a feasibility study of a proposed incorporation of a municipality; revising a requirement for the content of the study; amending s. 257.171, F.S.; conforming a cross-reference; amending s. 163.3167, F.S.; authorizing a local government to retain certain initiatives or referendum processes that were in effect as of a specified date; providing that qualified electors of certain independent districts may commence a municipal conversion proceeding by filing a petition with the governing body of the independent special district; providing an exception; providing criteria for the petition; providing that the petition must be filed with the governing body of the independent special district and submitted to the supervisor of elections of each county in which the district lands are located; requiring that the supervisor of elections certify within a certain time to the governing body the number of signatures of qualified electors contained in the petition; requiring the governing body to meet, prepare, and approve by resolution, a proposed elector-initiated combined conversion and incorporation plan; providing criteria for the plan; providing criteria for approving the resolution; requiring the governing body to provide notice and public access to the elector-initiated combined municipal incorporation plan; providing criteria for a public hearing on the proposed elector-initiated combined municipal incorporation plan; providing notice of a final public hearing, a descriptive summary of the elector-initiated combined municipal incorporation plan, and a reference to the public place where a copy of the plan can be examined; authorizing the governing body to amend the municipal incorporation plan after the final hearing if notice and public hearing requirements are met; requiring the governing body to approve the final version of the plan within a certain time after the final hearing; requiring the governing body to notify the supervisor of elections of the county within which the special district is located of the adoption of the resolution; providing for notice of the referendum; requiring that the referenda be held in accordance with the election code; requiring the independent special district to bear the costs associated with the referenda; providing for the form of the ballot question; providing for the counting of ballots, making and canvassing of returns, and certifying the results; requiring a majority of the votes cast in the independent special district for the incorporation plan to take effect; requiring that the independent special district notify the special district information program and certain local general-purpose governments that the plan was approved; prohibiting a conversion process from being initiated for 2 years if the referendum fails;



providing for interim governance of the district; providing for an effective date of the incorporation; prohibiting the municipal conversion of home rule counties, hospital districts, or children's services districts; providing an effective date.

—was read the third time by title.

Representative Diaz offered the following:

(Amendment Bar Code: 140469)

**Amendment 1 to Amendment 1 (204623) (with title amendment)**—Between lines 118 and 119, insert:

Section 3. Section 165.0615, Florida Statutes, is created to read:

165.0615 Municipal conversion of independent special districts upon elector-initiated and approved referendum.—

(1) The qualified electors of an independent special district may commence a municipal conversion proceeding by filing a petition with the governing body of the independent special district proposed to be converted if the district meets all of the following criteria:

(a) It was created by special act of the Legislature.

(b) It is designated as an improvement district and created pursuant to chapter 298 or is designated as a stewardship district and created pursuant to s. 189.404.

(c) Its governing board is elected.

(d) Its governing board agrees to the conversion.

(e) It provides at least four of the following municipal services: water, sewer, solid waste, drainage, roads, transportation, public works, fire and rescue, street lighting, parks and recreation, or library or cultural facilities.

(f) No portion of the district is located within the jurisdictional limits of a municipality.

(2)(a) The petition must include signatures of at least 40 percent of the qualified electors of the independent special district and must be submitted as provided in subsection (3) not later than 1 year after the start of the qualified elector-initiated municipal conversion proceeding.

(b) The petition must comply with, and be circulated in, the following form:

PETITION FOR MUNICIPAL CONVERSION OF  
INDEPENDENT SPECIAL DISTRICT

We, the undersigned electors and legal voters of (...name of independent special district...), qualified to vote at the next general or special election, respectfully petition that there be submitted to the electors and legal voters of (...name of independent special district proposed to be converted to a municipality...) for their approval or rejection at a referendum held for that purpose, a proposal to convert (...name of independent special district...) and incorporate (...proposed name of municipality...).

In witness thereof, we have signed our names on the date indicated next to our signatures.

Date Name (print under signature) Home Address

\_\_\_\_\_

(c) The petition must be validated by a signed statement by a witness who is a duly qualified elector of the independent special district, a notary public, or another person authorized to take acknowledgements.

(d) A statement that is signed by a witness who is a duly qualified elector of the district shall be accepted for all purposes as the equivalent of an affidavit. The statement must be in substantially the following form:

"I, (...name of witness...), state that I am a duly qualified voter of (...name of independent special district...). Each of the (...insert number...) persons who have signed this petition sheet has signed his or her name in my presence on the dates indicated above and identified himself or herself to be the same person who signed the sheet. I understand that this statement

will be accepted for all purposes as the equivalent of an affidavit and, if it contains a materially false statement, shall subject me to the penalties of perjury."

Date Signature of Witness

(e) A statement that is signed by a notary public or another person authorized to take acknowledgements must be in substantially the following form:

"On the date indicated above before me personally came each of the (...insert number...) electors and legal voters whose signatures appear on this petition sheet, who signed the petition in my presence and who, being by me duly sworn, each for himself or herself, identified himself or herself as the same person who signed the petition, and I declare that the foregoing information they provided was true."

Date Signature of Witness

(f) An alteration or correction of information appearing on a petition's signature line, other than a signature that was not initialed, and date, does not invalidate the signature. In matters of form, this paragraph must be liberally construed, not inconsistent with substantial compliance thereto and the prevention of fraud.

(3) The appropriately signed petition must be filed with the governing body of the independent special district. The petition must be submitted to the supervisor of elections of the county in which the district lands are located. The supervisor of elections shall, within 30 business days after receipt of the petition, certify to the governing body the number of signatures of qualified electors contained on the petition.

(4) Upon verification by the supervisor of elections of the county within which the independent special district lands are located that 40 percent of the qualified electors have petitioned for municipal conversion and that all such petitions have been executed within 1 year after the date of the initiation of the qualified-elector conversion process, the governing body of the independent special district shall meet within 30 business days to prepare and approve by resolution a proposed elector-initiated combined conversion and incorporation plan. The proposed plan must include:

(a) The name of the independent special district to be converted to a municipality.

(b) The name of the municipality to be created.

(c) The conversion schedule.

(d) Notwithstanding s. 165.061(1)(d), certification by a licensed surveyor that the boundaries of the proposed municipality do not overlap with any other municipal boundary and are contained within a single county.

(e) The rights, duties, and obligations of the municipality, and a feasibility study that contains the requirements under s. 165.041(1)(b), except that the provisions of s. 165.061(1)(b)-(d) do not apply if the buildout of the land use allowed under the current county-approved comprehensive plan and zoning designations will meet the population and density requirements of s. 165.061(1)(b) and (c).

(f) The territorial boundaries of the proposed municipality.

(g) The governmental organization of the proposed municipality and independent special district as the organization concerns elected and appointed officials and public employees, along with a transitional plan and schedule for elections and appointments of officials.

(h) An accounting of the independent special district's assets, including, but not limited to, real and personal property, and the current value of the property.

(i) An accounting of the independent special district's liabilities and indebtedness, bonded and otherwise, and the current value of the liabilities and indebtedness.

(j) Terms for addressing the ownership and obligations related to existing assets, liabilities, and indebtedness of the independent special district, jointly, separately, or in defined proportions.

(k) Terms for the common administration and uniform enforcement of existing laws within the proposed municipality.

(l) An estimated date for final payment of any bonded indebtedness of the independent special district, and if maintained by the district after incorporation, the estimated date of automatic dissolution of the independent special district.

(m) The time and place for a public hearing on the proposed incorporation.

(n) The effective date of the proposed incorporation.

(5) The resolution endorsing the proposed elector-initiated municipal incorporation plan must be approved by a majority vote of the governing body of the independent special district and must be adopted at least 60 business days before any general or special election on the proposed elector-initiated plan.

(6) Within 5 business days after the independent special district approves the proposed elector-initiated municipal incorporation plan, the governing body must:

(a) Cause a copy of the proposed elector-initiated municipal incorporation plan, along with a descriptive summary of the plan, to be displayed and be readily accessible to the public for inspection in at least three public places within the territorial limits of the independent special district, unless the independent special district has fewer than three public places, in which case the plan must be accessible for inspection in all public places within the independent special district.

(b) If applicable, cause the proposed elector-initiated municipal incorporation plan, along with a descriptive summary of the plan and a reference to the public places within the independent special district where a copy of the plan may be examined, to be displayed on a website maintained by the district or otherwise on a website maintained by the county in which the district is located.

(c) Arrange for a descriptive summary of the proposed elector-initiated municipal incorporation plan, and a reference to the public places within the district where a copy may be examined, to be published in a newspaper of general circulation within the independent special district at least once each week for 4 successive weeks.

(7) The governing body of the independent special district shall set a time and place for one or more public hearings on the proposed elector-initiated combined municipal incorporation plan. Each public hearing shall be held on a weekday at least 7 business days after the day the first advertisement is published on the proposed elector-initiated merger plan. An interested person residing in the respective district shall be given a reasonable opportunity to be heard on any aspect of the proposed merger at the public hearing.

(8) Notice of the final public hearing on the proposed elector-initiated combined municipal incorporation plan must be published pursuant to the notice requirements in s. 189.417 and must provide a descriptive summary of the elector-initiated municipal incorporation plan and a reference to the public places within the independent special district where a copy of the plan may be examined.

(9) After the final public hearing, the governing body of the independent special district may amend the proposed elector-initiated municipal incorporation plan if the amended version complies with the notice and public hearing requirements provided in this section. The governing body shall approve a final version of the plan within 60 business days after the final hearing.

(10) After the final public hearing, the governing body must notify the supervisor of elections of the county in which district lands are located of the adoption of the resolution by the governing body. The supervisor of elections shall schedule a date for the referenda for the district.

(11) Notice of a referendum on the municipal incorporation of the independent special district must be provided pursuant to the notice requirements in s. 100.342. The notice must include:

(a) A brief summary of the resolution and elector-initiated municipal incorporation plan;

(b) A statement as to where a copy of the resolution and petition for municipal incorporation may be examined;

(c) The name of the independent special district to be converted to a municipality and a description of the territory included in the plan;

(d) The time and place at which the referendum will be held; and

(e) Such other matters as may be necessary to call, provide for, and give notice of the referendum and to provide for the conduct of the referendum and the canvass of the returns.

(12) The referendum must be held in accordance with the Florida Election Code and may be held pursuant to ss. 101.6101-101.6107. The costs associated with the referendum must be borne by the independent special district.

(13) The ballot question in the referendum placed before the qualified electors of the independent special district to be incorporated must be in substantially the following form:

"Shall (name of independent special district...) be converted into (...name of newly created municipality...), which will assume all authority, powers, rights, and obligations of the district?"

YES

NO"

(14) In any referendum held pursuant to this section, the ballots must be counted, returns made and canvassed, and results certified in the same manner as other elections or referenda for the independent special district.

(15) The incorporation plan will not take effect unless a majority of the votes cast in the independent special district are in favor of the plan.

(16) If the incorporation plan is approved by a majority of the votes cast in the independent special district, the district shall notify the special district information program pursuant to s. 189.418(2) and the local general-purpose governments in which any part of the independent special district is situated pursuant to s. 189.418(7).

(17) If the referendum fails, the conversion process under this section may not be initiated for the same purpose within 2 years after the date of the referendum.

(18) An independent special district proposed for conversion under an elector-initiated municipal incorporation plan must continue to be governed as before the approved referendum until the effective date specified in the adopted elector-initiated municipal incorporation plan.

(19) The effective date of the incorporation shall be as provided in the elector-initiated combined conversion and incorporation plan, as appropriate, and is not contingent upon a future act of the Legislature.

#### **TITLE AMENDMENT**

Remove line 140 and insert:

requirement for the content of the study; creating s. 165.0615, F.S.; providing that qualified electors of an independent special district that meets certain criteria may commence a municipal conversion proceeding by filing a petition with the governing body of the independent special district; providing criteria for the petition; providing that the petition must be filed with the governing body of the independent special district and submitted to the supervisor of elections of each county in which the district lands are located; requiring that the supervisor of elections certify within a certain time to the governing body the number of signatures of qualified electors contained in the petition; requiring the governing body to meet, prepare, and approve by resolution a proposed elector-initiated combined conversion and incorporation plan; providing criteria for the plan; providing criteria for approving the resolution; requiring the governing body to provide notice and public access to the elector-initiated combined municipal incorporation plan; providing criteria for a public hearing on the proposed elector-initiated combined municipal incorporation plan; providing notice of a final public hearing, a descriptive summary of the elector-initiated combined municipal incorporation plan, and a reference to the public place where a copy of the plan can be examined; authorizing the governing body to amend the municipal incorporation plan after the final hearing if notice and public hearing requirements are met; requiring the governing body to approve the final version of the plan within a certain time after the final hearing; requiring the governing body to notify the supervisor of elections of the county within which the special district is located of the adoption of the resolution; providing for notice of the referendum; requiring that the referendum be held in accordance with the election code; requiring the independent special district

to bear the costs associated with the referendum; providing for the form of the ballot question; providing for the counting of ballots, making and canvassing of returns, and certifying of the results; requiring a majority of the votes cast in the independent special district for the incorporation plan to take effect; requiring that the independent special district notify the special district information program and certain local general-purpose governments that the plan was approved; prohibiting a conversion process from being initiated for 2 years if the referendum fails; providing for interim governance of the district; providing for an effective date of the incorporation; amending s.

Rep. Diaz moved the adoption of the amendment to the amendment, which was adopted by the required two-thirds vote.

The question recurred on the passage of **CS for SB 692**. The vote was:

Session Vote Sequence: 1140

Speaker Cannon in the Chair.

Yeas—104

Abruzzo	Diaz	Jones	Reed
Adkins	Dorworth	Julien	Renuart
Ahern	Drake	Kiar	Roberson, K.
Albritton	Eisnagle	Kreegel	Rogers
Artiles	Ford	Legg	Rooney
Aubuchon	Fresen	Logan	Rouson
Baxley	Frishe	Lopez-Cantera	Sands
Bembry	Fullwood	Mayfield	Saunders
Bernard	Gaetz	McBurney	Schenck
Bileca	Garcia	Metz	Schwartz
Boyd	Gibbons	Moraitis	Smith
Brandes	Glorioso	Nehr	Snyder
Brodeur	Gonzalez	Nelson	Soto
Broxson	Goodson	Nuñez	Stargel
Burgin	Grant	O'Toole	Steube
Caldwell	Grimsley	Oliva	Taylor
Campbell	Hager	Passidomo	Tobia
Cannon	Harrell	Patronis	Trujillo
Chestnut	Harrison	Perry	Van Zant
Clarke-Reed	Holder	Pilon	Waldman
Clemens	Hooper	Plakon	Weatherford
Coley	Horner	Porter	Weinstein
Corcoran	Hudson	Porth	Williams, A.
Costello	Hukill	Precourt	Williams, T.
Crisafulli	Ingram	Proctor	Workman
Davis	Jenne	Ray	Young

Nays—13

Berman	Pafford	Stafford	Wood
Bullard	Perman	Thompson, G.	
Cruz	Rehwinkel	Thurston	
Kriseman	Slosberg	Watson	

So the bill passed, as amended, and was immediately certified to the Senate.

Rep. Aubuchon moved that the House revert to the order of business of—

## Messages from the Senate

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 701, with 1 amendment, and requests the concurrence of the House.

*Debbie Brown, Secretary*

**CS/HB 701**—A bill to be entitled An act relating to the Florida Evidence Code; amending s. 90.804, F.S.; providing that a statement offered against a

party that wrongfully caused the declarant's unavailability is not excluded as hearsay; providing an effective date.

(Amendment Bar Code: 653972)

**Senate Amendment 1 (with title amendment)**—Between lines 20 and 21 insert:

Section 2. Section 90.4023, Florida Statutes, is created to read:

90.4023 Admissibility of evidence obtained from a cellular telephone.—Except when permitted by s. 12, Art. I of the State Constitution or with the written permission by the owner of the device, evidence obtained through the warrantless search of a cellular telephone or other electronic device is inadmissible.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 5

and insert:

unavailability is not excluded as hearsay; creating s. 90.4023, F.S.; providing that, except under certain specified circumstances, evidence obtained through the warrantless search of a cellular telephone or other electronic device is inadmissible in a court of law; providing

## Remarks

**Rep. Williams:** Thank you, Mr. Speaker. I appreciate Representative Logan bringing this forward, bringing this bill up and I'm glad it got over to the Senate and I'm glad it came back. You know, what's great about this is it's a great amendment. And, you know, this is one of those rare times when we get on this floor to really talk about issues like this and to Representative Lopez-Cantera—I think one of the reasons why we're supporting a Bogdanoff amendment is partly because we got such a warm and fuzzy farewell from you that it's got us in the mood to support this amendment. But, you know, to go even further, you think about a wise business man. He even said, he knows his rights, and, you know, Jay Z—I think Jay Z said it best and I'm gonna quote for you. "I know my rights so, you gonna need a warrant for that." He even went further to say, *Aren't you sharp as a tack? You a lawyer or something?* You know, so, members, when you're looking at this, support this. If you support Jay Z, support this amendment. Thank you.

**Speaker:** Now, I must respectfully disagree with a correction, Representative Williams. In that song, it was the officer who said, "Aren't you sharp as a tack! You some type of lawyer or something?" So, I got you on that.

On motion by Rep. Logan, the House refused to concur in **Senate Amendment 1** and requested the Senate to recede therefrom. The action, together with the bill and amendment thereto, was immediately certified to the Senate.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 1175, with 2 amendments, and requests the concurrence of the House.

*Debbie Brown, Secretary*

**CS/CS/HB 1175**—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; adding to the list of Schedule I controlled substances certain specified materials, compounds, mixtures, or preparations that contain hallucinogenic substances or that contain any of these substances' salts, isomers, and salts of isomers, if the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation; amending s. 893.13, F.S.; providing reduced penalties for possession of 3 grams or less of certain such controlled substances; reenacting ss. 893.13(1)-(6) and 921.0022(3)(b)-(e), F.S., relating to

prohibited acts involving controlled substances and the Criminal Punishment Code, respectively, to incorporate the amendments made to s. 893.03, F.S., in references thereto; providing an effective date.

(Amendment Bar Code: 245076)

**Senate Amendment 2**—Delete line 708 and insert:

Section 4. This act shall take effect upon becoming a law.

On motion by Rep. Ingram, the House concurred in **Senate Amendment 2**.

(Amendment Bar Code: 965376)

**Senate Amendment 1 (with title amendment)**—Between lines 20 and 21 insert:

Section 1. Section 456.44, Florida Statutes, is amended to read:

456.44 Controlled substance prescribing.—

(1) DEFINITIONS.—

(a) "Addiction medicine specialist" means a board-certified ~~psychiatrist who holds a psychiatrist with~~ a subspecialty certification in addiction medicine, or who is eligible for such subspecialty certification in addiction medicine, ~~a an addiction medicine physician who is certified or eligible for certification by the American Board Society of Addiction Medicine, or an osteopathic physician who holds a certificate of added qualification in Addiction Medicine through the American Osteopathic Association.~~

(b) "Adverse incident" means any incident set forth in s. 458.351(4)(a)-(e) or s. 459.026(4)(a)-(e).

(c) "Board-certified pain management physician" means a physician who possesses board certification in pain medicine by the American Board of Pain Medicine, board certification by the American Board of Interventional Pain Physicians, or board certification or subcertification in pain management ~~or pain medicine~~ by a specialty board recognized by the American Association of Physician Specialists or the American Board of Medical Specialties or an osteopathic physician who holds a certificate in Pain Management by the American Osteopathic Association.

(d) "Board eligible" means the successful completion of an anesthesia, physical medicine and rehabilitation, rheumatology, or neurology residency program that is approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association. The residency program must have been successfully completed within the previous 6 years in order for the individual to remain board eligible in the designated specialty.

~~(e)(4)~~ "Chronic nonmalignant pain" means pain unrelated to cancer, ~~or~~ rheumatoid arthritis, or sickle cell anemia which persists beyond the usual course of disease or beyond the injury that is the cause of the pain or which persists more than 90 days after surgery.

~~(f)(4)~~ "Mental health addiction facility" means a facility licensed under chapter 394 or chapter 397.

(2) REGISTRATION.—Effective January 1, 2012, a physician licensed under chapter 458, chapter 459, chapter 461, or chapter 466 who prescribes more than a 30-day supply of any controlled substance listed in Schedule II, Schedule III, or Schedule IV, as defined in s. 893.03, over a 6-month period to any one patient for the treatment of chronic nonmalignant pain, must:

(a) Designate himself or herself as a controlled substance prescribing practitioner on the physician's practitioner profile.

(b) Comply with the requirements of this section and applicable board rules.

(3) STANDARDS OF PRACTICE.—The standards of practice in this section do not supersede the level of care, skill, and treatment recognized in general law related to health care licensure.

(a) A complete medical history and a physical examination must be conducted before beginning any treatment and must be documented in the medical record. The exact components of the physical examination shall be left to the judgment of the clinician who is expected to perform a physical examination proportionate to the diagnosis that justifies a treatment. The medical record must, at a minimum, document the nature and intensity of the pain, current and past treatments for pain, underlying or coexisting diseases or

conditions, the effect of the pain on physical and psychological function, a review of previous medical records, previous diagnostic studies, and history of alcohol and substance abuse. The medical record ~~must shall~~ also document the presence of one or more recognized medical indications for the use of a controlled substance. Each registrant must develop a written plan for assessing each patient's risk of aberrant drug-related behavior, which may include patient drug testing. Registrants must assess each patient's risk for aberrant drug-related behavior and monitor that risk on an ongoing basis in accordance with the plan.

(b) Each registrant must develop a written individualized treatment plan for each patient. The treatment plan ~~must shall~~ state objectives that will be used to determine treatment success, such as pain relief and improved physical and psychosocial function, and ~~must shall~~ indicate if any further diagnostic evaluations or other treatments are planned. After treatment begins, the physician shall adjust drug therapy to the individual medical needs of each patient. Other treatment modalities, including a rehabilitation program, shall be considered depending on the etiology of the pain and the extent to which the pain is associated with physical and psychosocial impairment. The interdisciplinary nature of the treatment plan shall be documented.

(c) The physician shall discuss the risks and benefits of the use of controlled substances, including the risks of abuse and addiction, as well as physical dependence and its consequences, with the patient, persons designated by the patient, or the patient's surrogate or guardian if the patient is incompetent. The physician shall use a written controlled substance agreement between the physician and the patient outlining the patient's responsibilities, including, but not limited to:

1. Number and frequency of prescriptions and refills for controlled substances ~~substance prescriptions and refills.~~

2. Patient compliance and reasons for which drug therapy may be discontinued, such as a violation of the agreement.

3. An agreement that controlled substances for the treatment of chronic nonmalignant pain shall be prescribed by a single treating physician unless otherwise authorized by the treating physician and documented in the medical record.

(d) The patient shall be seen by the physician at regular intervals, not to exceed 3 months, to assess the efficacy of treatment, ensure that controlled-substance ~~controlled-substance~~ therapy remains indicated, evaluate the patient's progress toward treatment objectives, consider adverse drug effects, and review the etiology of the pain. Continuation or modification of therapy ~~depends shall depend~~ on the physician's evaluation of the patient's progress. If treatment goals are not being achieved, despite medication adjustments, the physician shall reevaluate the appropriateness of continued treatment. The physician shall monitor patient compliance in medication usage, related treatment plans, controlled substance agreements, and indications of substance abuse or diversion at a minimum of 3-month intervals.

(e) The physician shall refer the patient as necessary for additional evaluation and treatment in order to achieve treatment objectives. Special attention shall be given to those patients who are at risk for misusing their medications and those whose living arrangements pose a risk for medication misuse or diversion. The management of pain in patients with a history of substance abuse or with a comorbid psychiatric disorder requires extra care, monitoring, and documentation and requires consultation with or referral to an addiction medicine specialist ~~addictionologist or psychiatrist psychiatrist.~~

(f) A physician registered under this section must maintain accurate, current, and complete records that are accessible and readily available for review and comply with the requirements of this section, the applicable practice act, and applicable board rules. The medical records must include, but are not limited to:

1. The complete medical history and a physical examination, including history of drug abuse or dependence.

2. Diagnostic, therapeutic, and laboratory results.

3. Evaluations and consultations.

4. Treatment objectives.

5. Discussion of risks and benefits.

6. Treatments.

7. Medications, including date, type, dosage, and quantity prescribed.

8. Instructions and agreements.
9. Periodic reviews.
10. Results of any drug testing.
11. A photocopy of the patient's government-issued photo identification.
12. If a written prescription for a controlled substance is given to the patient, a duplicate of the prescription.
13. The physician's full name presented in a legible manner.

(g) Patients with signs or symptoms of substance abuse shall be immediately referred to a board-certified pain management physician, an addiction medicine specialist, or a mental health addiction facility as it pertains to drug abuse or addiction unless the physician is board eligible or board certified ~~board-certified or board-eligible~~ in pain management. Throughout the period of time before receiving the consultant's report, a prescribing physician shall clearly and completely document medical justification for continued treatment with controlled substances and those steps taken to ensure medically appropriate use of controlled substances by the patient. Upon receipt of the consultant's written report, the prescribing physician shall incorporate the consultant's recommendations for continuing, modifying, or discontinuing the controlled-substance ~~controlled-substance~~ therapy. The resulting changes in treatment shall be specifically documented in the patient's medical record. Evidence or behavioral indications of diversion shall be followed by discontinuation of the controlled-substance ~~controlled-substance~~ therapy, and the patient shall be discharged, and all results of testing and actions taken by the physician shall be documented in the patient's medical record.

(h) When a pharmacy receives a prescription issued by a physician pursuant to this section, the dispensing of such prescription is deemed compliant with the standards of practice under this section and, therefore, valid for dispensing.

This subsection does not apply to a board-eligible or board-certified anesthesiologist, psychiatrist, psychiatrist, rheumatologist, or neurologist, or to a board-certified physician who has surgical privileges at a hospital or ambulatory surgery center and primarily provides surgical services. This subsection does not apply to a board-eligible or board-certified medical specialist who has also completed a fellowship in pain medicine approved by the Accreditation Council for Graduate Medical Education or the American Osteopathic Association, or who is board eligible or board certified in pain medicine by a board approved by the American Board of Pain Medicine, the American Board of Medical Specialties, or the American Osteopathic Association and performs interventional pain procedures of the type routinely billed using surgical codes. This subsection does not apply to a physician certified by the American Board of Medical Specialties in hospice and palliative medicine or to an osteopathic physician who holds a certificate of added qualification in hospice and palliative medicine through the American Osteopathic Association. This subsection does not apply to a physician who prescribes medically necessary controlled substances for a patient during an inpatient stay or while providing emergency services and care in a hospital licensed under chapter 395. This subsection does not apply to a physician who treats a patient who is admitted in a nursing home or related health care facility or receiving hospice services as defined in chapter 400. This subsection does not apply to a physician who treats a patient in accordance with an approved clinical trial. This subsection does not apply to a physician licensed under chapter 458 or chapter 459 who writes fewer than 50 prescriptions for a controlled substance for all of his or her patients combined in any one calendar year.

Section 2. Paragraph (a) of subsection (1) of section 458.3265, Florida Statutes, is amended to read:

458.3265 Pain-management clinics.—

(1) REGISTRATION.—

(a)1. As used in this section, the term:

a. "Chronic nonmalignant pain" means pain unrelated to cancer, ~~or~~ rheumatoid arthritis, or sickle cell anemia which persists beyond the usual course of disease or beyond the injury that is the cause of the pain or which persists more than 90 days after surgery.

b. "Pain-management clinic" or "clinic" means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department unless:

a. ~~The~~ That clinic is licensed as a facility pursuant to chapter 395;

b. The majority of the physicians who provide services in the clinic ~~primarily~~ provide primarily surgical services;

c. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;

d. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. The clinic does not prescribe controlled substances for the treatment of pain;

f. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. The clinic is wholly owned and operated by one or more board-eligible or board-certified anesthesiologists, psychiatrists, psychiatrists, rheumatologists, or neurologists; ~~or~~

h. The clinic is wholly owned and operated by one or more board-eligible or board-certified medical specialists who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical Education, or who are also board eligible or board certified ~~board-certified~~ in pain medicine by a board approved by the American Board of Pain Medicine or the American Board of Medical Specialties and perform interventional pain procedures of the type routinely billed using surgical codes; ~~or~~

i. The clinic is organized as a physician-owned group practice as defined in 42 C.F.R. s. 411.352.

Section 3. Paragraph (a) of subsection (1) of section 459.0137, Florida Statutes, is amended to read:

459.0137 Pain-management clinics.—

(1) REGISTRATION.—

(a)1. As used in this section, the term:

a. "Chronic nonmalignant pain" means pain unrelated to cancer, ~~or~~ rheumatoid arthritis, or sickle cell anemia which persists beyond the usual course of disease or beyond the injury that is the cause of the pain or which persists more than 90 days after surgery.

b. "Pain-management clinic" or "clinic" means any publicly or privately owned facility:

(I) That advertises in any medium for any type of pain-management services; or

(II) Where in any month a majority of patients are prescribed opioids, benzodiazepines, barbiturates, or carisoprodol for the treatment of chronic nonmalignant pain.

2. Each pain-management clinic must register with the department unless:

a. ~~The~~ That clinic is licensed as a facility pursuant to chapter 395;

b. The majority of the physicians who provide services in the clinic ~~primarily~~ provide primarily surgical services;

c. The clinic is owned by a publicly held corporation whose shares are traded on a national exchange or on the over-the-counter market and whose total assets at the end of the corporation's most recent fiscal quarter exceeded \$50 million;

d. The clinic is affiliated with an accredited medical school at which training is provided for medical students, residents, or fellows;

e. The clinic does not prescribe controlled substances for the treatment of pain;

f. The clinic is owned by a corporate entity exempt from federal taxation under 26 U.S.C. s. 501(c)(3);

g. The clinic is wholly owned ~~and operated~~ by one or more board-eligible or board-certified anesthesiologists, psychiatrists, psychiatrists, rheumatologists, or neurologists; ~~or~~

h. The clinic is wholly owned ~~and operated~~ by one or more board-eligible or board-certified medical specialists who have also completed fellowships in pain medicine approved by the Accreditation Council for Graduate Medical

Education or the American Osteopathic Association, or who are also board eligible or board certified ~~board-certified~~ in pain medicine by a board approved by the American Board of Medical Specialties, the American Association of Physician Specialties, or the American Osteopathic Association and perform interventional pain procedures of the type routinely billed using surgical codes.

Section 4. Paragraph (b) of subsection (1) of section 465.0276, Florida Statutes, is amended to read:

465.0276 Dispensing practitioner.—

(1)

(b) A practitioner registered under this section may not dispense a controlled substance listed in Schedule II or Schedule III as provided in s. 893.03. This paragraph does not apply to:

1. The dispensing of complimentary packages of medicinal drugs which are labeled as a drug sample or complimentary drug as defined in s. 499.028 to the practitioner's own patients in the regular course of her or his practice without the payment of a fee or remuneration of any kind, whether direct or indirect, as provided in subsection (5).

2. The dispensing of controlled substances in the health care system of the Department of Corrections.

3. The dispensing of a controlled substance listed in Schedule II or Schedule III in connection with the performance of a surgical procedure. The amount dispensed pursuant to the subparagraph may not exceed a 14-day supply. This exception does not allow for the dispensing of a controlled substance listed in Schedule II or Schedule III more than 14 days after the performance of the surgical procedure. For purposes of this subparagraph, the term "surgical procedure" means any procedure in any setting which involves, or reasonably should involve:

a. Perioperative medication and sedation that allows the patient to tolerate unpleasant procedures while maintaining adequate cardiorespiratory function and the ability to respond purposefully to verbal or tactile stimulation and makes intra- and postoperative monitoring necessary; or

b. The use of general anesthesia or major conduction anesthesia and preoperative sedation.

4. The dispensing of a controlled substance listed in Schedule II or Schedule III pursuant to an approved clinical trial. For purposes of this subparagraph, the term "approved clinical trial" means a clinical research study or clinical investigation that, in whole or in part, is state or federally funded or is conducted under protocols approved ~~an investigational new drug application that is reviewed~~ by the United States Food and Drug Administration.

5. The dispensing of methadone in a facility licensed under s. 397.427 where medication-assisted treatment for opiate addiction is provided.

6. The dispensing of a controlled substance listed in Schedule II or Schedule III to a patient of a facility licensed under part IV of chapter 400.

Section 5. Paragraph (b) of subsection (5) and paragraph (b) of subsection (7) of section 893.055, Florida Statutes, are amended to read:

893.055 Prescription drug monitoring program.—

(5) When the following acts of dispensing or administering occur, the following are exempt from reporting under this section for that specific act of dispensing or administration:

(b) A pharmacist or health care practitioner when administering a controlled substance to a patient who is receiving hospice care or to a patient or resident receiving care as a patient at a hospital, nursing home, ambulatory surgical center, hospice, or intermediate care facility for the developmentally disabled which is licensed in this state.

(7)

(b) A pharmacy, prescriber, or dispenser shall have access to information in the prescription drug monitoring program's database which relates to a patient, or a potential patient, of that pharmacy, prescriber, or dispenser in a manner established by the department as needed for the purpose of reviewing the patient's controlled substance prescription history. Other access to the program's database shall be limited to the program's manager and to the designated program and support staff, who may act only at the direction of the program manager or, in the absence of the program manager, as authorized. Access by the program manager or such designated staff is for prescription drug program management only or for management of the

program's database and its system in support of the requirements of this section and in furtherance of the prescription drug monitoring program. Confidential and exempt information in the database shall be released only as provided in paragraph (c) and s. 893.0551. The program manager, designated program and support staff who act at the direction of or in the absence of the program manager, and any individual who has similar access regarding the management of the database from the prescription drug monitoring program shall submit fingerprints to the department for background screening. The department shall follow the procedure established by the Department of Law Enforcement to request a statewide criminal history record check and to request that the Department of Law Enforcement forward the fingerprints to the Federal Bureau of Investigation for a national criminal history record check.

#### ===== TITLE AMENDMENT =====

And the title is amended as follows:

Delete line 2  
and insert:

An act relating to controlled substances; amending s. 456.44, F.S.; revising the definition of the term "addiction medicine specialist" to include a board-certified psychiatrist, rather than a physiatrist; redefining the term "board-certified pain management physician" to include a physician who possesses board certification or subcertification in pain management by a specialty board recognized by the American Board of Medical Specialties; redefining the term "chronic nonmalignant pain"; providing requirements that a physician who prescribes certain specific controlled substances for the treatment of chronic nonmalignant pain must fulfill; providing that the management of pain in certain patients requires consultation with or referral to a psychiatrist, rather than a physiatrist; providing that a prescription is deemed compliant with the standards of practice and is valid for dispensing when a pharmacy receives it; providing that the standards of practice regarding the prescribing of controlled substances do not apply to certain physicians; amending s. 458.3265, F.S.; revising the definition of the term "chronic nonmalignant pain"; requiring that a pain-management clinic register with the Department of Health unless the clinic is wholly owned by certain board-eligible or board-certified physicians or medical specialists, organized as a physician-owned group practice, or wholly owned by physicians who are not board eligible or board certified but who have completed specified residency programs and have a specified number of years of full-time practice in pain medicine; amending s. 459.0137, F.S.; revising the definition of "chronic nonmalignant pain"; requiring that a pain-management clinic register with the Department of Health unless the clinic is wholly owned by certain health care practitioners; amending s. 465.0276, F.S.; redefining the term "approved clinical trial" as it relates to the Florida Pharmacy Act; amending s. 893.055, F.S.; providing that a pharmacist or health care practitioner is exempt from reporting a dispensed controlled substance to the Department of Health when administering the controlled substance to a patient who is receiving hospice care or to a patient or resident receiving care at certain medical facilities licensed in the state; requiring that a pharmacy, prescriber, or dispenser have access to information in the prescription drug monitoring program's database which relates to a patient, or a potential patient, of that pharmacy, prescriber, or dispenser for the purpose of reviewing the patient's controlled substance prescription history; amending s.

On motion by Rep. Ingram, the House refused to concur in **Senate Amendment 1** and requested the Senate to recede therefrom.

The question recurred on the passage of **CS/CS/HB 1175**, as amended. The vote was:

Session Vote Sequence: 1141

Speaker Cannon in the Chair.

Yeas—116

Abruzzo	Diaz	Kreegel	Rogers
Adkins	Dorworth	Kriseman	Rooney
Ahern	Drake	Legg	Rouson
Albritton	Eisnaugle	Logan	Sands
Artiles	Ford	Lopez-Cantera	Saunders
Aubuchon	Fresen	Mayfield	Schenck
Baxley	Frishe	McBurney	Schwartz
Bembry	Fullwood	Metz	Slosberg
Berman	Gaetz	Moraitis	Smith
Bernard	Garcia	Nehr	Snyder
Bileca	Gibbons	Nelson	Soto
Boyd	Glorioso	Nuñez	Stafford
Brandes	Gonzalez	O'Toole	Stargel
Brodeur	Goodson	Oliva	Steube
Broxson	Grant	Pafford	Taylor
Bullard	Grimsley	Passidomo	Thompson, G.
Burgin	Hager	Patronis	Thurston
Caldwell	Harrell	Perman	Tobia
Campbell	Harrison	Perry	Trujillo
Cannon	Holder	Pilon	Van Zant
Chestnut	Hooper	Plakon	Waldman
Clarke-Reed	Horner	Porter	Watson
Clemens	Hudson	Porth	Weatherford
Coley	Hukill	Precourt	Weinstein
Corcoran	Ingram	Proctor	Williams, A.
Costello	Jenne	Ray	Williams, T.
Crisafulli	Jones	Reed	Wood
Cruz	Julien	Renuart	Workman
Davis	Kiar	Roberson, K.	Young

Nays—None

Votes after roll call:

Yeas—Rehwinkel Vasilinda

So the bill passed, as amended. The action, together with the bill and amendments thereto, was immediately certified to the Senate.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 711, with 1 amendment, by the required Constitutional two-thirds vote of all members elected to the Senate, and requests the concurrence of the House.

*Debbie Brown, Secretary*

**CS/CS/CS/HB 711**—A bill to be entitled An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; providing definitions; requiring approval from a circuit court for the sale or lease of a county, district, or municipal hospital unless certain exemption or referendum approval applies; requiring the hospital governing board to determine by certain public advertisements whether there are qualified purchasers or lessees before the sale or lease of such hospital; requiring the board to state in writing specified criteria forming the basis of its acceptance of a proposal for sale or lease of the hospital; providing for publication of notice; authorizing submission of written statements of opposition to a proposed transaction to the hospital governing board within a certain timeframe; requiring the board to file a petition for approval with the circuit court and receive approval before any transaction is finalized; providing an exception; specifying information to be included in such petition; providing for the circuit court to issue an order requiring all interested parties to appear before the court under certain circumstances; granting the circuit court jurisdiction to approve sales or leases of county, district, or municipal hospitals based on specified criteria; providing for a party to seek judicial review; requiring the court to enter a final judgment; requiring the board to pay costs associated with the petition for approval unless a party contests the action; providing exemptions for certain transactions completed before a specified date; providing for cessation of special district taxing authority at sale unless reduced and ratified by referendum; providing that any general or special law that is inconsistent with or otherwise in conflict with the act is specifically superseded by the act; repealing s. 155.41, F.S., relating to

applicability of retroactive exemptions for the sale or lease of county, district, or municipal hospitals, to conform to changes made by the act; amending s. 395.3036, F.S.; conforming cross-references and terminology; providing an effective date.

(Amendment Bar Code: 408312)

**Senate Amendment 1**—Delete everything after the enacting clause and insert:

Section 1. 155.40, Florida Statutes, is amended to read:

155.40 Sale or lease of county, district, or municipal hospital; effect of sale.—

(1) In the interest of providing quality health care services to the order that citizens and residents of this ~~the state may receive quality health care, and~~ notwithstanding any other provision of general or special law, a ~~any~~ county, district, or municipal hospital organized and existing under the laws of this state, acting by and through its governing board, ~~may shall have the authority~~ to sell or lease the such hospital to a for-profit or not-for-profit Florida entity ~~corporation, and enter into leases or other contracts with a for-profit or not-for-profit Florida entity corporation for the purpose of operating the and managing~~ such hospital and any or all of its facilities of whatsoever kind and nature. The term of ~~any~~ such lease, contract, or agreement and the conditions, covenants, and agreements to be contained therein shall be determined by the governing board of ~~the such county, district, or municipal~~ hospital. The governing board of the hospital must find that the sale, lease, or contract is in the best interests of the affected community ~~public~~ and must state the basis of that ~~such~~ finding. ~~If the governing board of a county, district, or municipal hospital decides to lease the hospital, it must give notice in accordance with paragraph (4)(a) or paragraph (4)(b).~~

(2) ~~A~~ Any such lease, contract, or agreement made pursuant hereto shall:

(a) Provide that the articles of incorporation of ~~the such~~ for-profit or not-for-profit corporation be subject to the approval of the board of directors or board of trustees of ~~the such~~ hospital;

(b) Require that any not-for-profit corporation become qualified under s. 501(c)(3) of the United States Internal Revenue Code;

(c) Provide for the orderly transition of the operation and management of ~~the such~~ facilities;

(d) Provide for the return of ~~the such~~ facility to the county, municipality, or district upon the termination of ~~the such~~ lease, contract, or agreement; and

(e) Provide for the continued treatment of indigent patients pursuant to the Florida Health Care Responsibility Act and pursuant to chapter 87-92, Laws of Florida.

(3) Any sale, lease, or contract entered into pursuant to this section ~~before~~ prior to the effective date of this act must have complied with the requirements of subsection (2) in effect at the time of the sale, lease, or contract. It is the intent of the Legislature that this section ~~does~~ not impose any further requirements with respect to the formation of any for-profit or not-for-profit Florida ~~entity corporation~~, the composition of the board of directors of any Florida ~~entity corporation~~, or the manner in which control of the hospital is transferred to the Florida ~~entity corporation~~.

(4) As used in this section, the term:

(a) "Affected community" means those persons residing within the geographic boundaries defined by the charter of the county, district, or municipal hospital or health care system, or if the boundaries are not specifically defined by charter, by the geographic area from which 75 percent of the county, district, or municipal hospital's or health care system's inpatient admissions are derived.

(b) "Fair market value" means the price that a seller or lessor is willing to accept and a buyer or lessee is willing to pay on the open market and in an arms-length transaction, or what an independent expert in hospital valuation determines the fair market value to be.

(c) "Interested party" includes a person submitting a proposal for sale or lease of the county, district, or municipal hospital or health care system, as well as the governing board.

(5) The governing board of a county, district, or municipal hospital or health care system shall commence an evaluation of the possible benefits to an affected community from the sale or lease of hospital facilities owned by

the board to a not-for-profit or for-profit entity no later than December 31, 2012. In the course of evaluating the benefits of the sale or lease, the board shall:

(a) Conduct a public hearing to provide interested persons the opportunity to be heard on the matter.

(b) Publish notice of the public hearing in one or more newspapers of general circulation in the county in which the majority of the physical assets of the hospital or health care system are located and in the Florida Administrative Weekly at least 15 days before the hearing is scheduled to occur.

(c) Contract with a certified public accounting firm or other firm that has substantial expertise in the valuation of hospitals to render an independent valuation of the hospital's fair market value.

(d) Consider an objective operating comparison between a hospital or health care system operated by the district, county, or municipality and other similarly situated hospitals, both not-for-profit and for-profit, which have a similar service mix, in order to determine whether there is a difference in the cost of operation using publicly available data provided by the Agency for Health Care Administration and the quality metrics identified by the Centers for Medicare and Medicaid Services Core Measures. The comparison must determine whether it is more beneficial to taxpayers and the affected community for the hospital to be operated by a governmental entity, or whether the hospital can be operated by a not-for-profit or for-profit entity with similar or better cost-efficiencies or measurable outcomes identified by the Centers for Medicare and Medicaid Services Core Measures. The comparison must also determine whether there is a net benefit to the community to operate the hospital as a not-for-profit or for-profit entity and use the proceeds of the sale or lease for the purposes described in this section.

(e) Make publicly available all documents considered by the board in the course of such evaluation.

1. Within 160 days after the initiation of the process established in subsection (5), the governing board shall publish notice of the board's findings in one or more newspapers of general circulation in the county in which the majority of the physical assets of the hospital are located and in the Florida Administrative Weekly.

2. This evaluation is not required if a district, county, or municipal hospital has issued a public request for proposals for the sale or lease of a hospital on or before February 1, 2012, for the purpose of receiving proposals from qualified purchasers or lessees, either not-for-profit or for-profit.

~~(6)(4)~~ If, upon completion of the evaluation of the benefits of the sale or lease, ~~in the event~~ the governing board of a county, district, or municipal hospital determines that it is no longer in the best interest of the affected community to own or operate a hospital or health care system and elects to consider a sale or lease of the hospital or health care system to a third party, the governing board must first determine whether there are any qualified purchasers or lessees. In the process of evaluating any qualified purchaser or lessee ~~elects to sell or lease the hospital~~, the board shall:

(a) ~~Negotiate the terms of the sale or lease with a for-profit or not-for-profit Florida corporation and~~ Publicly advertise the meeting at which the proposed sale or lease will be considered by the governing board of the hospital in accordance with s. 286.0105; or

(b) Publicly advertise the offer to accept proposals in accordance with s. 255.0525 and receive proposals from all ~~interested and~~ qualified purchasers and lessees.

Any sale or lease must be for fair market value, or, if not for fair market value, the lease must be in the best interest of the affected community. ~~A and any~~ sale or lease must comply with all applicable state and federal antitrust laws.

(7) A determination by the governing board to accept a proposal for sale or lease shall be made after consideration of all proposals received and negotiations with a qualified purchaser or lessee. The governing board's determination must include, in writing, detailed findings of all reasons for accepting the proposal.

(a) The governing board's acceptance of a proposal for sale or lease must include a description of how the sale or lease satisfies each of the following requirements:

1. The sale or lease represents fair market value, as determined by a certified public accounting firm or other qualified firm pursuant to subsection(5). If leased at less than fair market value, the governing board shall provide a detailed explanation of how the best interests of the affected community are served by the acceptance of less than fair market value for the lease of the hospital.

2. Acceptance of the proposal will result in a reduction or elimination of ad valorem or other taxes for taxpayers in the district, if applicable.

3. The proposal includes an enforceable commitment that programs and services and quality health care will continue to be provided to all residents of the affected community, particularly to the indigent, the uninsured, and the underinsured.

4. Disclosure has been made of all conflicts of interest, including, but not limited to, whether the sale or lease of the hospital or health care system would result in a special private gain or loss to members of the governing board or key management employees or members of the medical staff of the county, district, or municipal hospital, or if governing board members will be serving on the board of any successor private corporation. Conflicts of interest, if any, with respect to experts retained by the governing board shall also be disclosed.

5. Disclosure has been made by the seller or lessor of all contracts with physicians or other entities providing health care services through a contract with the seller or lessor, including all agreements or contracts that would be void or voidable upon the consummation of the sale or lease.

6. The proposal is in compliance with subsections (8) and (9).

(b) The findings must be accompanied by all information and documents relevant to the governing board's determination, including, but not limited to:

1. The names and addresses of all parties to the transaction.

2. The location of the hospital or health care system and all related facilities.

3. A description of the terms of all proposed agreements.

4. A copy of the proposed sale or lease agreement and any related agreements, including, but not limited to, leases, management contracts, service contracts, and memoranda of understanding.

5. The estimated total value associated with the proposed agreement and the proposed acquisition price.

6. Any valuations of the hospital's or health care system's assets prepared during the 3 years immediately preceding the proposed transaction date.

7. The fair market value analysis required by paragraph (5)(c), or any other valuation prepared at the request of the board, owner of the hospital or health care system, or managing entity of the hospital or health care system.

8. Copies of all other proposals and bids that the governing board may have received or considered in compliance with subsection (6).

(8) Within 120 days before the anticipated closing date of the proposed transaction, the governing board shall make publicly available all findings and documents required under subsection (7) and publish a notice of the proposed transaction in one or more newspapers of general circulation in the county in which the majority of the physical assets of the hospital or health care system are located. The notice must include the names of the parties involved and the means by which a person may submit written comments about the proposed transaction to the governing board and obtain copies of the findings and documents required under subsection (7).

(9) Within 20 days after the date of publication of the public notice, any person may submit to the governing board written comments regarding the proposed transaction.

(10) The sale or lease of the hospital or health care system is subject to approval by the Secretary of Health Care Administration or his or her designee, except, if otherwise required by law, approval of the sale or lease shall exclusively be by majority vote of the registered voters in the county, district, or municipality in which the hospital or health care system is located.

(a) The governing board shall file a petition with the Secretary of Health Care Administration seeking approval of the proposed transaction at least 30 days after publication of the notice of the proposed transaction.

(b) The petition for approval filed by the governing board must include all findings and documents required under subsection (7) and certification by the governing board of compliance with all requirements of this section. The chair of the governing board must certify under oath and subject to the penalty of



perjury on a form accompanying the petition that the contents of the petition and representations therein are true and correct.

(11) Within 30 days after receiving the petition, the Secretary of Health Care Administration or his or her designee shall issue a final order approving or denying the proposed transaction based solely upon consideration of whether the procedures contained within this section have been followed by the governing board of the county, district, or municipal hospital or health care system. The order shall require the governing board to accept or reject the proposal for the sale or lease of the county, district, or municipal hospital or health care system based upon a determination that:

(a) The proposed transaction is permitted by law.

(b) The proposed transaction does not unreasonably exclude a potential purchaser or lessee on the basis of being a for-profit or a not-for-profit Florida corporation or other form of business organization, such as a partnership or limited liability company.

(c) The governing board of the hospital or health care system publicly advertised the meeting at which the proposed transaction was considered by the board in compliance with s. 286.0105.

(d) The governing board of the hospital or health care system publicly advertised the offer to accept proposals in compliance with s. 255.0525.

(e) Any conflict of interest was disclosed, including, but not limited to, how the proposed transaction could result in a special private gain or loss to members of the governing board or key management employees of the county, district, or municipal hospital, or if governing board members will be serving on the board of any successor private corporation. Conflicts of interest, if any, with respect to experts retained by the governing board shall also be disclosed.

(f) The seller or lessor documented that it will receive fair market value for the sale or lease of the assets as indicated in paragraph (5)(c) or, if leased at less than fair market value, the governing board provided a detailed explanation of how the best interests of the affected community are served by the acceptance of less than fair market value for the lease of the hospital or health care system.

(g) The acquiring entity has made an enforceable commitment that programs and services and quality health care will continue to be provided to all residents of the affected community, particularly to the indigent, the uninsured, and the underinsured.

(h) The governing board disclosed whether the sale or lease will result in a reduction or elimination of ad valorem or other taxes used to support the hospital.

(12) Any interested party to the action has the right to seek judicial review of the decision in the appellate district where the hospital is located or in the First District Court of Appeal pursuant to s. 120.68.

(a) All proceedings shall be instituted by filing a notice of appeal in accordance with the Florida Rules of Appellate Procedure within 30 days after the date of the final order.

(b) In such judicial review, the appellate court shall affirm the decision of the Secretary of Health Care Administration, unless the decision by the Secretary of Health Care Administration is shown to be clearly erroneous.

(13) All costs shall be paid by the governing board, unless an interested party contests the action, in which case the court may assign costs equitably to the parties.

(14) If any provision of subsection (5), subsection (6), or subsection (7) is not followed, the contract for sale or lease is voidable by any party to the contract. If any member of the governing board negligently or willfully violates subsection (5), subsection (6), or subsection (7), as determined by the Commission on Ethics after receipt of a sworn complaint pursuant to s. 112.322, the member is subject to a penalty, as determined by the Commission on Ethics pursuant to s. 112.317.

(15) If a county, district, or municipal hospital is sold, any and all special district tax authority associated with the hospital subject to the sale shall cease on the effective date of the closing date of the sale. Any special law inconsistent with this subsection is superseded by this act.

(16) If a county, district, or municipal hospital is sold or leased, the governing board shall:

(a) Deposit 50 percent of the net proceeds of the sale or lease into a health care economic development trust fund, which shall be under the control of the county commission of the county in which the property is located, if the hospital is a county hospital or district hospital whose geographic boundaries

extend beyond a single municipality, or, if the hospital is a municipal hospital or district hospital whose geographic boundaries lie entirely within a single municipality, under the control of the city or municipal government in which the hospital is located. The use and distribution of the funds shall be at the discretion of a majority of the county commission if the hospital is a county hospital or district hospital whose geographic boundaries extend beyond a single municipality, or, if the hospital is a municipal hospital or district hospital whose geographic boundaries lie entirely within a single municipality, at the discretion of a majority of the members of the municipal government. The members of the county commission or the municipal government, depending on the type of hospital being sold, shall serve as trustees of the trust fund. The net proceeds in the health care economic development trust fund shall be distributed, in consultation with the Department of Economic Opportunity, to promote job creation in the health care sector of the economy through new or expanded health care business development, new or expanded health care services, or new or expanded health care education programs or commercialization of health care research within the affected community; and

(b) Appropriate 50 percent of the net proceeds of the sale or lease for funding the delivery of indigent care, including but not limited to primary care, physician specialty care, out-patient care, in-patient care and behavioral health, to hospitals within the boundaries of the district with consideration given to the levels of indigent care provided.

For the purposes of this subsection, the term "net proceeds" means the sale price after payment of all district debts and obligations.

(17) If a county, district, or municipal hospital or health care system is sold or leased to a for-profit corporation or other business entity subject to local taxation, the resulting county and municipal ad valorem tax revenue from the formerly tax-exempt property shall be distributed by the county commission of the county in which the property is located, if the hospital is a county hospital or district hospital whose geographic boundaries extend beyond a single municipality, or, if the hospital is a municipal hospital or district hospital whose geographic boundaries lie entirely within a single municipality, such ad valorem tax revenues shall be distributed by the municipal government. The distribution of such ad valorem tax revenues shall be made in consultation with the Department of Economic Opportunity, for purposes set forth in subsection (16).

(18)(5) If in the event a hospital operated by a for-profit or not-for-profit Florida entity corporation receives annually more than \$100,000 in revenues from the county, district, or municipality that owns the hospital, the Florida entity corporation must be accountable to the county, district, or municipality with respect to the manner in which the funds are expended by either:

(a) Having the revenues subject to annual appropriations by the county, district, or municipality; or

(b) Where there is a contract to provide revenues to the hospital, the term of which is longer than 12 months, the governing board of the county, district, or municipality must be able to modify the contract upon 12 months notice to the hospital.

A not-for-profit entity corporation that is subject to this subsection and that does not currently comply with the accountability requirements in this subsection shall have 12 months after the effective date of this act to modify any contracts with the county, district, or municipality in a manner that is consistent with this subsection.

(19)(6) Unless otherwise expressly stated in the lease documents, the transaction involving the sale or lease of a hospital may shall not be construed as:

(a) A transfer of a governmental function from the county, district, or municipality to the private purchaser or lessee;

(b) Constituting a financial interest of the public lessor in the private lessee; or

(c) Making a private lessee an integral part of the public lessor's decisionmaking process.

(20)(7) The lessee of a hospital, under this section or any special act of the Legislature, operating under a lease may shall not be construed to be "acting

on behalf of" the lessor as that term is used in statute, unless the lease document expressly provides to the contrary.

(21)(8)(a) If, whenever the sale of a public hospital by a public agency to a private ~~corporation or other private~~ entity pursuant to this section or pursuant to a special act of the Legislature reflects that:

1. The private ~~corporation or other private~~ entity purchaser acquires 100 percent ownership in the hospital enterprise;
2. The private ~~corporation or other private~~ entity purchases the physical plant of the hospital facility and has complete responsibility for the operation and maintenance of the facility, regardless of ownership of the underlying real property;
3. The public agency seller retains no control over decisionmaking or policymaking for the hospital;
4. The private ~~corporation or other private~~ entity purchaser receives no funding from the public agency seller other than by contract for services rendered to patients for whom the public agency seller has the responsibility to pay for hospital or medical care;
5. The public agency seller makes no substantial investment in or loans to the private entity;
6. The private ~~corporation or other private~~ entity purchaser was not created by the public entity seller; and
7. The private ~~corporation or other private~~ entity purchaser operates primarily for its own financial interests and not primarily for the interests of the public agency,

such a sale shall be considered a complete sale of the public agency's interest in the hospital or health care system.

(b) A complete sale of a hospital or health care system as described in this subsection may ~~shall~~ not be construed as:

1. A transfer of a governmental function from the county, district, or municipality to the private ~~corporation or other private~~ entity purchaser;
2. Constituting a financial interest of the public agency in the private ~~corporation or other private~~ entity purchaser;
3. Making the private ~~corporation or other private~~ entity purchaser an "agency" as that term is used in statutes;
4. Making the private ~~corporation or other private~~ entity purchaser an integral part of the public agency's decisionmaking process; or
5. Indicating that the private ~~corporation or other private~~ entity purchaser is "acting on behalf of a public agency" as that term is used in statute.

(22) If the governing board elects to sell or lease the physical property of a county, district, or municipal hospital or health care system and such property generated less than 20 percent of the hospital's net revenue within the hospital's or health care system's most recent fiscal year, the sale or lease of such property is exempt from the requirements under subsections (6)-(17). However, the governing board shall publicly advertise the meeting at which the proposed sale or lease of such property will be considered by the governing board of the hospital in accordance with s. 286.0105 or publicly advertise the offer to accept proposals in accordance with s. 255.0525 and receive proposals from all qualified purchasers and lessees. The sale or lease of the property must be for fair market value or, if a lease is for less than fair market value, the lease must be in the best interest of the affected community.

(23) A county, district, or municipal hospital or health care system that is under lease as of the effective date of this act is not subject to subsections (5)-(17) as long as that lease remains in effect in accordance with the terms of the lease or such lease is modified, extended, or renewed. However, such hospital or health care system becomes subject to the provisions of this act upon:

(a) Termination of the lease, unless the lease termination is the direct result of a new lease involving a partnership, transaction, or contract in which both the existing lessor and lessee agree to the new lease between the lessor and another mutually agreed upon entity;

(b) Notification provided to the lessee of a planned termination of the lease in accordance with the lease terms, unless the notification of lease termination is the direct result of a new lease involving a partnership, transaction, or contract in which both the existing lessor and lessee agree to the new lease between the lessor and another mutually agreed upon entity;

(c) Notification to the lessee that upon termination of the lease the lessor plans to seek potential new lessees or buyers; or

(d) Notification to the lessee that the lessor plans to resume operation of the hospital or health care system at the termination of the lease.

Any such hospital or health care system may not thereafter be sold, leased to another lessee, or operated by the owner without first complying with this section.

(24) A county, district, or municipal hospital or health care system that has executed a letter of intent to sell or lease the hospital or health care system accepted at a properly noticed public meeting, and whose governing board has voted to approve the letter of intent before December 31, 2011, is not subject to subsections (6)-(17) as long as the final closing of the sale or lease transaction pursuant to the letter of intent occurs before December 31, 2012.

(25) Notwithstanding subsection (24), a county, district, or municipal hospital or health care system that has issued a request for proposals for the sale or lease of a hospital or health care system on or before February 1, 2012, in order to receive proposals from not-for-profit or for-profit qualified purchasers or lessees, is not subject to subsections (5)-(17) unless such request for proposals does not directly result in a sale or lease of the hospital or health care system to a qualified purchaser or lessee on or before December 31, 2012.

Section 2. Section 155.401, Florida Statutes, is created to read:

155.401 Power of special taxing district to appropriate proceeds from sale or lease of hospital or health care system to economic development trust fund.—Notwithstanding any other general or special law, the purposes for which a special taxing district may appropriate funds from the sale or lease of a hospital or health care system to an economic development fund include the promotion and support of economic growth in such district and in the county in which such district is located and the furthering of the purposes of such district, as provided by law.

Section 3. To the extent that any general or special law is inconsistent with or otherwise in conflict with this act, such conflicting provisions are specifically superseded by this act. A special tax district, public hospital, or municipal hospital is not exempt from this act.

Section 4. Subsection (1) of section 395.002, Florida Statutes, is amended to read:

395.002 Definitions.—As used in this chapter:

(1) "Accrediting organizations" means national accreditation organizations that are approved by the Centers for Medicare and Medicaid Services and whose standards incorporate comparable licensure regulations required by the state the Joint Commission on Accreditation of Healthcare Organizations, the American Osteopathic Association, the Commission on Accreditation of Rehabilitation Facilities, and the Accreditation Association for Ambulatory Health Care, Inc.

Section 5. For the purpose of incorporating the amendment made by this act to section 395.002, Florida Statutes, in a reference thereto, paragraph (c) of subsection (2) of section 395.003, Florida Statutes, is reenacted to read:

395.003 Licensure; denial, suspension, and revocation.—

(2)

(c) Intensive residential treatment programs for children and adolescents which have received accreditation from an accrediting organization as defined in s. 395.002(1) and which meet the minimum standards developed by rule of the agency for such programs shall be licensed by the agency under this part.

Section 6. Section 395.3036, Florida Statutes, is amended to read:

395.3036 Confidentiality of records and meetings of ~~entities~~ corporations that lease public hospitals or other public health care facilities.—The records of a private ~~entity~~ corporation that leases a public hospital or other public health care facility are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, and the meetings of the governing board of a private ~~entity~~ corporation are exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution if when the public lessor complies with the public finance accountability provisions of s. 155.40(18) 155.40(5) with respect to the transfer of any public funds to the private lessee and if when the private lessee meets at least three of the five following criteria:

(1) The public lessor that owns the public hospital or other public health care facility was not the incorporator or initial member of the private ~~entity~~ corporation that leases the public hospital or other health care facility.

(2) The public lessor and the private lessee do not commingle any of their funds in any account maintained by either of them, other than the payment of the rent and administrative fees or the transfer of funds pursuant to subsection (5) ~~(2)~~.

(3) Except as otherwise provided by law, the private lessee is not allowed to participate, except as a member of the public, in the decisionmaking process of the public lessor.

(4) The lease agreement does not expressly require the lessee to comply with the requirements of ss. 119.07(1) and 286.011.

(5) The public lessor is not entitled to receive any revenues from the lessee, except for rental or administrative fees due under the lease, and the lessor is not responsible for the debts or other obligations of the lessee.

Section 7. This act shall take effect upon becoming a law.

#### ===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled

An act relating to the sale or lease of a county, district, or municipal hospital; amending s. 155.40, F.S.; defining terms; requiring that the governing board of a county, district, or municipal hospital evaluate the possible benefits to an affected community from the sale or lease of the hospital facility to a not-for-profit or for-profit entity within a specified time period; specifying the actions the board must take in evaluating whether to sell or lease the public hospital; requiring the board to determine whether qualified purchasers or lessees exist; specifying the factors that must be considered by the governing board before accepting a proposal to sell or lease the hospital; requiring the board to state in writing detailed findings related to its decision to accept or reject the proposal; requiring the governing board to make public the required findings and documents and to publish a notice of the proposed transaction in one or more newspapers of general circulation in the county in which the majority of the physical assets of the hospital are located; allowing persons to submit written comments regarding the proposed transaction; providing that the sale or lease is subject to the approval of the Secretary of Health Care Administration; requiring the governing board to file a petition with the Secretary of Health Care Administration seeking approval of the proposed transaction within a specified time period; requiring the Secretary of Health Care Administration or his or her designee to issue a final order approving or denying the proposed transaction; specifying the criteria upon which the Secretary of Health Care Administration must base his or her decision; authorizing an interested party to appeal the decision of the Secretary of Health Care Administration; requiring that all costs be paid by the governing board unless an interested party contests the action, in which case the court may assign costs equitably to the parties; providing for the distribution of proceeds from the transaction; exempting the sale or lease of specified physical property of a county, district, or municipal hospital from processes required for the approval of a sale or lease of county, district, or municipal hospital property; providing an exemption from complying with the requirements of the act under certain circumstances; exempting application of the act to hospitals or health care systems for which a letter of intent to sell or lease is executed before a specified date; exempting application of the act to a county, district, or municipal hospital or health care system that has issued a request for proposals for the sale or lease of a hospital or health care system on or before a specified date; providing an exception; creating s. 155.401, F.S.; providing that the purposes for which a special taxing district may appropriate funds from the sale or lease of a hospital or health care system include the promotion and support of economic growth in the district and county in which the taxing district is located and the furthering of the purposes of the taxing district; providing that any general or special law that is inconsistent with or otherwise in conflict with the act is specifically superseded by the act; amending s. 395.002, F.S.; revising the definition of the term "accrediting organizations"; reenacting s. 395.003(2)(c), F.S., relating to licensure and regulation of hospitals, to incorporate the amendment made to s. 395.002, F.S., in a reference thereto; amending s. 395.3036, F.S.; conforming cross-references; providing an effective date.

On motion by Rep. Hooper, the House concurred in **Senate Amendment 1**.

The question recurred on the passage of **CS/CS/CS/HB 711**. The vote was:

Session Vote Sequence: 1142

Speaker Cannon in the Chair.

Yeas—108

Abruzzo	Diaz	Kiar	Renuart
Adkins	Dorworth	Kreegel	Roberson, K.
Ahem	Drake	Legg	Rogers
Albritton	Eisnaugle	Logan	Rooney
Artiles	Ford	Lopez-Cantera	Rouson
Aubuchon	Fresen	Mayfield	Sands
Baxley	Frishe	McBurney	Saunders
Bembry	Fullwood	Metz	Schenck
Berman	Gaetz	Moraitis	Schwartz
Bernard	Garcia	Nehr	Slosberg
Bileca	Gibbons	Nelson	Smith
Boyd	Glorioso	Nuñez	Snyder
Brandes	Gonzalez	O'Toole	Soto
Brodeur	Goodson	Oliva	Stargel
Broxson	Grant	Passidomo	Steube
Burgin	Grimsley	Patronis	Taylor
Caldwell	Hager	Perman	Tobia
Campbell	Harrell	Perry	Trujillo
Cannon	Harrison	Pilon	Van Zant
Chestnut	Holder	Plakon	Waldman
Clarke-Reed	Hooper	Porter	Weatherford
Clemens	Horner	Porth	Weinstein
Coley	Hudson	Precourt	Williams, A.
Corcoran	Hukill	Proctor	Williams, T.
Costello	Ingram	Ray	Wood
Crisafulli	Jenne	Reed	Workman
Davis	Julien	Rehwinkel	Young
		Vasilinda	

Nays—9

Bullard	Kriseman	Thompson, G.
Cruz	Pafford	Thurston
Jones	Stafford	Watson

So the bill passed, as amended. The action was immediately certified to the Senate and the bill was ordered enrolled after engrossment.

#### Motion

On motion by Rep. A. Williams, the rules were waived and the privilege of the floor was granted to Bill Cotterell of the Tallahassee Capitol Press, who is retiring after 44 years of service.

The Speaker recognized Rep. A. Williams to make brief remarks.

The Speaker gave brief remarks and recognized Mr. Cotterell to approach the well, where he made brief remarks.

#### Motion to Adjourn

Rep. Weatherford moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene Thursday, March 8, 2012 upon call of the Chair. The motion was agreed to.

**Messages from the Senate**

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed HB 103.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 173.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 189.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 313.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 479.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 509.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 629, by the required Constitutional two-thirds vote of all members present.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 643.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 645, by the required Constitutional two-thirds vote of all members present.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 655.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 725.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed HB 917.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for CS for HB 943.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 965.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1305.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 1417.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed HB 4047.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed HB 7015.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 7025.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 7059.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 7081.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

*The Honorable Dean Cannon, Speaker*

I am directed to inform the House of Representatives that the Senate has passed HB 7135.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

## Votes After Roll Call

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Albritton

Yeas—March 5: 1048

Rep. Frishe

Yeas—March 6: 1096, 1097, 1099, 1100, 1102, 1103

Nays—March 6: 1101

Rep. Glorioso

Yeas—March 5: 1054, 1062, 1075, 1076

Rep. Pilon

Yeas to Nays—February 29: 975

Rep. Plakon

Yeas—February 15: 739; February 16: 778; February 23: 805, 821, 847; March 1: 1019

Rep. O'Toole

Yeas—March 6: 1101

## Cosponsors

HB 109—Costello

CS/CS/HB 313—Patronis

HB 395—Saunders

CS/HB 691—Ahern, Caldwell, Chestnut, Clemens, Gibbons, Glorioso, Hooper, Julien, Kriseman, Metz, Nehr, Nuñez, Perry, Pilon, Porter, K. Roberson, Rooney, Saunders, Steube, Waldman, Weinstein

CS/CS/CS/HB 859—Baxley, Hudson

HB 1105—Clemens

CS/CS/CS/HB 1163—Gaetz

CS/HB 1285—Harrell

HB 1315—Nehr

HR 1447—Abruzzo

## Excused

Rep. Randolph

## Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 6:01 p.m., to reconvene Thursday, March 8, 2012 upon call of the Chair.

## CHAMBER ACTIONS ON BILLS

Wednesday, March 7, 2012

CS for SB	4 — 03/07/12 S Amendment(s) to House amendment(s) adopted (653030); 03/07/12 S Concurred in House amendment(s) as amended (432013)	CS for CS for CS for SB	694 — Read 3rd time; CS passed as amended; YEAS 118, NAYS 0
		CS/HB	701 — Refused to concur in 1 amendment(s); Amendment 653972 Refuse to Concur; Requested Senate to recede
CS for SB	116 — Read 3rd time; CS passed; YEAS 118, NAYS 0		
SB	140 — Read 3rd time; Passed; YEAS 118, NAYS 0	CS/CS/CS/HB	711 — Amendment 408312 Concur; Concurred in 1 amendment(s); CS passed as amended; YEAS 108, NAYS 9
CS for SB	186 — Read 3rd time; CS passed; YEAS 116, NAYS 2		
CS for SB	226 — Read 3rd time; CS passed; YEAS 118, NAYS 0	CS for SB	730 — Read 3rd time; Amendment 597627 Failed; Amendment 599555 Failed; Amendment 920765 Failed; Amendment 865343 adopted; CS passed as amended; YEAS 80, NAYS 35
CS for CS for CS for SB	268 — Read 3rd time; CS passed; YEAS 112, NAYS 6		
SB	276 — Read 3rd time; Passed; YEAS 117, NAYS 0	SB	792 — Read 3rd time; Passed; YEAS 118, NAYS 0
SB	278 — Read 3rd time; Passed; YEAS 117, NAYS 1	CS for SB	800 — Read 3rd time; CS passed as amended; YEAS 113, NAYS 2
SB	326 — Read 3rd time; Passed; YEAS 115, NAYS 0		
CS for SB	364 — Read 3rd time; CS passed as amended; YEAS 116, NAYS 1	CS/CS/CS/HB	859 — Read 3rd time; Amendment 447835 Failed; CS passed; YEAS 92, NAYS 24
SB	368 — Read 3rd time; Passed; YEAS 81, NAYS 35	SB	878 — Read 3rd time; Passed; YEAS 117, NAYS 0
SB	374 — Read 3rd time; Passed; YEAS 116, NAYS 0	CS for CS for SB	922 — Read 3rd time; CS passed as amended; YEAS 117, NAYS 0
SB	436 — Read 3rd time; Passed; YEAS 117, NAYS 0		
SB	446 — Read 3rd time; Passed; YEAS 116, NAYS 1	CS for SB	924 — Read 3rd time; CS passed; YEAS 117, NAYS 0
SB	520 — Read 3rd time; Passed; YEAS 118, NAYS 0	SB	990 — Read 3rd time; Passed; YEAS 118, NAYS 0
SB	524 — Read 3rd time; Passed as amended; YEAS 114, NAYS 1	CS for SB	1050 — Read 3rd time; CS passed; YEAS 116, NAYS 0
		CS/CS/HB	1175 — Amendment 245076 Concur; Concurred in 1 amendment(s); Refused to concur in 1 amendment(s); Amendment 965376 Refuse to Concur; Requested Senate to recede; CS passed as amended; YEAS 116, NAYS 0
SB	570 — Read 3rd time; Passed; YEAS 118, NAYS 0		
SB	608 — Read 3rd time; Passed; YEAS 116, NAYS 0	SB	1724 — Read 3rd time; Passed; YEAS 117, NAYS 0
SB	638 — Read 3rd time; Passed; YEAS 118, NAYS 0		
CS/HB	691 — Concurred in 1 amendment(s); Amendment 658964 Concur; CS passed as amended; YEAS 118, NAYS 0	CS for SB	1856 — Read 3rd time; CS passed; YEAS 115, NAYS 0
		SB	2058 — Read 3rd time; Passed; YEAS 118, NAYS 0
CS for SB	692 — Read 3rd time; Amendment 140469 adopted; CS passed as amended; YEAS 104, NAYS 13		

# JOURNAL OF THE HOUSE OF REPRESENTATIVES

## DAILY INDICES FOR

March 7, 2012

### NUMERIC INDEX

HB 103 .....	1178	CS/HB 691 .....	1151-1152, 1179
HB 109 .....	1179	CS for SB 692 .....	1166, 1169
CS for SB 116 .....	1158	CS for CS for CS for SB 694 .....	1163
SB 140 .....	1156	CS for HB 701 .....	1169
CS for HB 173 .....	1178	CS/HB 701 .....	1169
CS for SB 186 .....	1155	CS for CS for CS for HB 711 .....	1173
CS for CS for HB 189 .....	1178	CS/CS/CS/HB 711 .....	1173, 1177
CS for SB 226 .....	1160	CS for CS for CS for HB 725 .....	1178
CS for CS for CS for SB 268 .....	1162	CS for SB 730 .....	1164-1165
SB 276 .....	1157	SB 792 .....	1159
SB 278 .....	1160	CS for SB 800 .....	1165
CS for CS for HB 313 .....	1178	CS/CS/CS/HB 859 .....	1152-1153, 1179
CS/CS/HB 313 .....	1179	SB 878 .....	1156
SB 326 .....	1158	HB 917 .....	1178
CS for SB 364 .....	1163	CS for CS for SB 922 .....	1162
SB 368 .....	1154	CS for SB 924 .....	1161
SB 374 .....	1156	CS for CS for CS for HB 943 .....	1178
HB 395 .....	1179	CS for CS for HB 965 .....	1178
SB 436 .....	1154	SB 990 .....	1161
SB 446 .....	1158	CS for SB 1050 .....	1159
CS for HB 479 .....	1178	HB 1105 .....	1179
CS for CS for HB 509 .....	1178	CS/CS/CS/HB 1163 .....	1179
SB 520 .....	1160	CS for CS for HB 1175 .....	1169
SB 524 .....	1166	CS/CS/HB 1175 .....	1169, 1172
SB 570 .....	1155	CS/HB 1285 .....	1179
SB 608 .....	1161	CS for HB 1305 .....	1178
CS for HB 629 .....	1178	HB 1315 .....	1179
SB 638 .....	1154	CS for HB 1417 .....	1178
CS for CS for HB 643 .....	1178	HR 1447 .....	1179
CS for CS for HB 645 .....	1178	SB 1724 .....	1155
CS for HB 655 .....	1178	CS for SB 1856 .....	1157
CS for HB 691 .....	1151	SB 2058 .....	1153

### SUBJECT INDEX

Bills and Joint Resolutions on Third Reading .....	1152	Excused .....	1179
Cosponsors .....	1179	Messages from the Senate .....	1151, 1169, 1178